

# **Dis/Agreement:**

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*An Enquiry into the Normative Origins of Social  
Conflict*

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To the memory of my grandfather, Mikhail Klimov,  
who perished in GULAG



## Declaration

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I have composed this thesis myself on the basis of my own research.

Sveta Klimova

23 December 1999

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The thesis attempts to expose and problematize the assumptions behind the contemporary theories of collective action (also known as social movement theories), concerning the nature of social conflict. The problem of collective action is conceived by those theories as a problem of *mobilization* of resources (the resource mobilization theory) and solidarities (the new social movement theory), which, insofar as it occurs within the context of *confrontation*, is also mobilization *against* the adversary. Conflict is construed as a moment in a *power* relationship, an interaction of *strategic* kind where the aim and expected outcome of mobilization, on both sides, is to prevail over the adversary, i.e. win in a power struggle. Success is a function of power mobilized, an outcome of strategic *advantage* over the opponent. Resolving differences between the two positions engaged in conflict is considered to have nothing to do with understandings that the two positions *share* and all to do with understandings that *divide* them, i.e. with interests rather than norms. The space where conflict is happening, according to these theories, is a space *outside* normative integration. Conflict is seen as a temporary suspension of normative order.

Questioning the validity of this understanding, the thesis argues that social conflict, such as protest, would be neither *meaningful* nor *possible* outside a normative relationship. It proceeds to show that conflict is an *internal* development within a *normative* relationship, a product of shared understandings of right and wrong. Drawing on the empirical research into three different social movements in post-communist Russia, the thesis demonstrates that protest is a *communicative* accomplishment: to protest is to state and communicate *disagreement* with the opponent's position so as to *influence* that position and thus *overcome* disagreement. Paradoxically, in order to communicate (and thus overcome) *disagreement* protesters have to assert *agreement*. The understanding informing collective (protest) action differs from the understanding prevalent among the theorists of collective action. While the latter equate protest's success with the opponent's failure, protesters themselves conceive of their success in *collective* terms as being *also* the success of the opponent and the success of the relationship. Protest is an attempt to address (correct) the other's failure to act properly, as they *ought* to have acted, and to this extent it is a form of *participation* in a normative relationship rather than a mobilization of power against the adversary. But the existence of a normative relationship is not to be equated with *unproblematic* reproduction of agreement. While disagreement is considered problematic within the circumstances of agreement (a condition to be transcended), it also exposes agreement as problematic. Conflict is a form of reproduction of normative agreement (relationship) by addressing problems in agreement. The thesis concludes by examining the implications of this argument for social theory, arguing that the failure to recognize the *problematic* nature of normative integration is also a general social theoretical problem.

“The individual can free himself partially from the rules of society if he feels the disparity between them and society as it is, and not as it appears to be ... The principle of rebellion is the same as that of conformity. It is the *true* nature of society that is conformed to when the traditional morality is obeyed, and yet it is also the *true* nature of society which is being conformed to when the same morality is flouted.”

Emile Durkheim<sup>\*</sup>

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<sup>\*</sup> From: Durkheim, E. (1953) *Sociology and Philosophy*, London: Cohen and West Ltd., p. 65 (emphasis in the original).

## Introduction

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This project began by showing a promise of a different ending and ended up implying a different beginning. Its original aim became one of the many casualties of its evolution: the result shares little in common with the intention. Only if I had formulated that intention in very general terms (for example, to attempt a better explanation of social conflict, such as protest), would I be able to say at this point that I hope to have achieved what I set out to achieve some time ago. Otherwise, I would be satisfied to have achieved something of which I had very little idea at the beginning, but which has become, in the end, the purpose and intention of the thesis<sup>1</sup>.

One of the ‘unplanned achievements’ of the thesis is the concept of dis/agreement; which, as I hope to show in the following chapters, more accurately reflects what is at stake in social conflicts such as protest. The argument draws equally on theoretical analysis of problems within existing explanations, and empirical research into three particular cases of social conflict: three different protest movements that took place in Russia (the region of Saratov) between 1989 and 1996. This thesis challenges the understanding that currently prevails within the field of collective action (or social movements) studies: namely, that conflict is a moment in a power-mediated relationship, a strategic-type interaction between collective actors with opposite interests. Moving beyond this understanding, the thesis suggests that conflict can be located within a normative relationship between collective actors who regard themselves as adversaries. It conceives of conflict as a problem *within* rather than *outside* normative integration. Conflict is understood as a controversy rather than a

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<sup>1</sup> See a distinction drawn in semiology between the intention of the text and the intention of the author (Eco 1992, 25).



struggle, a clash between seemingly-irreconcilable understandings that both *construct* and attempt to *overcome* their *differences* by asserting themselves as *collective* understandings, or understandings *shared* within a relationship. In short, this thesis attempts to argue that protest (social conflict) is *fundamentally* about agreement.

The argument follows none of the established traditions of theorizing collective action (protest). My closest allies among scholars of protest are marginal figures in the field of collective action studies, Barrington Moore (1978) and E. P. Thompson (1991), whose contribution to the field has been accidental rather than consistent. Both emphasize the *normative* origins of social conflict. My position is broadly similar to theirs, but unlike them I stress the *problematic* nature of normative agreement. What makes Moore and Thompson different from other scholars who have recognized the importance of normative understandings to the development of collective action, is their reluctance to reduce the normative to the *structural* (e.g. symbolic *resources* utilized by action). It would not be an exaggeration to say that the main characteristic of collective action, as theorized by the collective action theory, is its *locatedness* within structure. According to this theory, action is made possible and necessary by the structural environment in which it takes place. In its superficial appearance, structure in the writings of collective action scholars is a loose set of specific historical circumstances in which particular collective action takes place. At a more fundamental level, structure appears to be an environment that provides *resources* for and imposes *constraints* on action. It is also seen as a source of internal tensions, strains and *contradictions* that manifest themselves as social *conflicts*, e.g. give rise to collective (protest) action.

Once action has been located within the structural environment, a problem of *action* becomes largely a problem of *structure*. The main question of the collective action theory – how action (e.g. social movement) gets to emerge, develops and succeeds – is most of the time answered with reference to structure. For many collective action theorists, the process of production of action is essentially a process of *mobilization of structure*, or more precisely its properties, such as resources, including symbolic

resources (solidarities, beliefs and commitments). It is also a process of *structuration*<sup>2</sup> of action itself, action growing into an element of structure (the organization and networks of social movement being the most obvious manifestation of the structural existence of action). This understanding, for example, is characteristic of the resource mobilization theory, as well as in some trends within the new social movement theory (Dalton and Kuechler 1990, Klandermans et al. 1988). Alternatively, the problem of production of action can be described as a problem of *reproduction of structure*: developments within the latter, such as malfunctions or contradictions, generate action that helps to overcome internal structural problems. This is true, for example, of Smelser's (1962) variation on collective behaviour theory, which attributes the emergence of action to strains within structure. It is also a view shared by scholars of Marxist orientation, who trace the emergence of action to reproduction of structural disadvantage (class conflict). Among them are some of the prominent figures within the new social movement theory, most notably Touraine (1981, 1995a), Melucci (1980, 1989, 1996) and Eder (1993). Scholars who consider *cultural* change to be responsible for the production of conflicts also belong in this group (e.g. Inglehart 1977, 1990).

This thesis attempts to dissociate action problematic from structure problematic, by locating action within a relationship with the *other actor* (action), rather than within a broadly understood structure. Where action truly takes place, it argues, is within the virtual space of shared (normative) understandings. The structural view of action is consistent with the power model of conflict. Mobilization of structure amounts to mobilization of power: i.e. gaining a structural position superior to the opponent's. When conflicts are attributed to contradictions within structure, they are also likely to be understood as strategic encounters (exercise of power against power). On the contrary, if one chooses to locate action within the context of normative relationships, which is the view I defend in this thesis, the strategic interaction model of conflict becomes irrelevant. Power emerges as a misleading concept, crudely generalizing the nature of interaction between parties engaged in social conflict. As this thesis attempts to show, conflict is a case of *disagreement* premised on and

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<sup>2</sup> Not meant as Giddens's concept here.

aiming at *agreement*. The disagreeing parties find their disagreement problematic and seek to transcend it by establishing a normative argument, each presenting their position as the *collective* (shared) normative position. Thus, not only do the parties engaged in a conflict assert the existence of a normative relationship, they also expose that relationship as problematic *and* attempt to transcend those problems, i.e. restore the agreement.

Although this thesis falls broadly within the area of collective action (and social movements) studies, not least because it criticizes the major theories in the field, its subject is protest, rather than collective action or social movements. However, since the concepts overlap, this thesis is about protest as well as about social movements and collective action. I prefer the concept of protest because, unlike the other two concepts, it combines the meanings, *conflict* and *action*. More importantly, however, it implies *the other actor*, and therefore also the opposite of conflict, *consensus* (or agreement); which, again, is beyond the reach of the other two concepts. When we study protest we study something that falls outside the grasp of the concepts of social movement and collective action. We study conflict, and therefore also collective action (or agency such as social movement) as aspects of both agreement and disagreement, and of conflict as well as consensus.

The motivation behind this thesis is primarily theoretical, but the argument is based on empirical research conducted in Russia in the autumn and winter of 1995-1996. I chose to study three protests, or social movements, or cases of collective action (all the three terms would be equally applicable), over issues of economic welfare, ethnic politics and environmental risks. All three attracted large numbers of participants and a great deal of publicity, having emerged and remained as essentially local, or more precisely regional, mobilizations. Unlike some other scholars writing about social movements in post-communist societies, I do not adopt the 'transition to democracy' framework; in particular because it fits so well the structural understanding of collective action that I reject in this thesis: new movements in the context of new opportunities and manifesting new conflicts. I chose Russia partly for reasons of novelty (since most theories of social movements generalize from Western

experience) and partly because of my personal affiliation to the country. A question is sometimes asked about how applicable Western theories are in non-Western locations. Similarly, one may ask how applicable this argument is outside the Russian context. The problem, however, is not the geographical origin of a theory, but its adequacy, which is not a question of geography. Unless contemporary Russian society is significantly different from Western societies at the most fundamental level (i.e. represents a unique case of normative integration), this theoretical argument should be applicable to other social contexts; provided, of course, that it is defensible as an argument.

The thesis is organized into three parts and six chapters (i.e., two chapters in each part). The parts could be entitled 'Theory', 'Research' and 'Back to (different) theory'. Part One lays the theoretical foundations for the empirical research. The findings of the research are discussed in Part Two, while Part Three considers the broader theoretical implications of the findings. The central argument of the thesis, that conflict is an internal problem of agreement, is made in each part with reference to a different body of evidence. Part One identifies the problem at the level of protest (or collective action) theory. Chapter 1 introduces the major theoretical developments within the field (collective behaviour theory, the resource mobilization school, and the new social movement approach) and discusses their limitations, focusing especially on the structure-action problematics. Chapter 2 analyses the failure of the strategic-interaction model of conflict employed by theories of collective action to account for the normative understandings that actors bring into a conflict. It argues that conflict is a normative interaction that takes place within a relationship of shared understandings.

Part Two draws on the findings of my empirical research (the analysis of the discourse of three mobilizations) to support the argument that protest is a form of participation in normative relationship. Chapter 3 demonstrates that protest is fundamentally a communicative event and accomplishment. It shows that protesters attempt to overcome disagreement with their opponent by asserting the existence of agreement (shared normative understandings), together with the opponent's failure to

live up to this ideal. Chapter 4 proceeds to explore the shared normative understandings that explain why protest has been possible and why it expects to succeed, or, why protesters consider themselves right and the opponent wrong. Finally, Part Three moves the discussion to the level of general social theory, arguing that many developments within the latter fail to explain the role of conflict in the reproduction of normative integration, preferring to locate the source of conflict outside integration. Chapter 5 formulates the paradox of protest: the contradictory assumptions behind any protest, concerning sharing understandings with the opponent. It then looks at how some theories of normative integration, namely the social constructionist theory of social institutions and Habermas's theory of communicative action, use one set of categories to account for agreement, and another to explain conflict. Chapter 6 argues that theories of social contract and civil society describing modern political condition as a condition characterized by the possibility of emancipation, likewise fail to theorize conflict as an internal problem of agreement. While positing the possibility of society founded on rational agreement, they undermine that possibility by locating sources of conflict beyond agreement.

This thesis attempts to problematize what most scholars in the field rarely see as problematic: the relevance of the concept of power for explaining social conflict, such as protest. It questions the adequacy of explanations based on the concept of power and proceeds to demonstrate how theories of protest share the same problems (caused by over-reliance on the concept of power and related concepts on interests and structure) with general theoretical accounts of normative integration. My main contention is that, by adopting the normative approach to conflict (where conflict is conceived as normative dis/agreement), we will be able to locate resources to resolve the problems of both theories.

Part One:

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**Righteous Rebels:  
Questioning the Strategic Bias of Theory**

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## Theories of Collective Action: Critical Introduction

### The concept

Sociologists do not write about 'protest'. They prefer to use other terms: 'collective behaviour', 'collective action' and 'social movements'. 'Collective behaviour' has reputable psychological connotations. 'Collective action' communicates the rigour of economic (rational choice) theory. 'Social movements' is a forward-looking optimistic concept, linked to the idea of progress and emancipatory political discourses of modernity. Protest, in comparison, is a much more humble concept. It features mainly in the discourse of historical and political science, where it is used alongside or as a cumulative term for a range of phenomena, indicated by the terms 'riots', 'rebellions', 'uprisings', 'revolts', 'insurgence', 'resistance', 'revolutions', etc. Maybe because of the concept's associations with empirical phenomena, sociologists have never considered adopting it as a theoretical concept. The other two concepts with established theoretical links in two adjacent disciplines have been considered more suitable for the task of theory building. Consequently, we have theories of collective behaviour and social movements, yet there seem to be no 'theories of protest'. The word 'protest' when it is used is not intended to make any specifically theoretical statement.

It would be rather misleading under the circumstances described above to carry on using the word 'protest'. Yet I intend to do so for reasons to be specified later in this thesis. For the moment, suffice it to say that other terms preferred by most sociologists who study the topic have been rather constraining. While they have helped to clarify some aspects of the phenomenon in question, namely its collective



nature, orientation to the goal and its social impact, they have also left other aspects in obscurity. None of the following concepts – collective behaviour, collective action or social movements – fits perfectly with the reality they attempt to capture. And it is for this reason that I have chosen to utilize the ‘less sociological’ concept of protest: because it helps to highlight the aspects of the phenomenon neglected by the other two concepts.

This entails more than a change of terminology: it requires a change of theoretical perspective. Before I can introduce a new theoretical perspective I shall discuss the current state of sociological scholarship on protest. This chapter will examine three main theoretical schools: the collective behaviour theory, the resource mobilization approach and the new social movement perspective. It contains a concise but critical review of the main theoretical achievements and limitations of these three approaches. In the next chapter I shall discuss the omissions of these existing theories and present my own approach to theorizing protest action.

## **Collective behaviour theory**

In the beginning was ‘collective behaviour’, or to be more precise the ‘crowd’. Mass phenomena captured the imagination of social analysts around the turn of the century giving rise to the first examples of sociological scholarship on the subject (see Le Bon and Tarde). Suspicion and curiosity were the prevalent sensibilities that shaped the earlier analyses of collective action. Crowds were shown to be irrational and potentially dangerous: ‘crowds do not reason, ... they tolerate neither discussion, nor contradiction’ (Le Bon 1896, 81). One of the offshoots of this line of thinking was the *mass society* theory (Kornhauser 1960) which sought to demonstrate what happens to societies that allowed crowds to proliferate. Not all crowds were pronounced dangerous however. Some were recognised as having the reasoning and deliberative capacity that merited a different and more respectable name: a public (Tarde). However, it took a while before the rational elements of collective phenomena began to be fully explored.



If I were writing this thesis about fifty years ago, and in an American university, I would be more likely to use the term 'collective behaviour'. It first occurred to scholars within the Chicago School that crowds or "publics" might be examples of a more general phenomenon, which they named *collective behaviour*. Among the first contributors to the collective behaviour theory were Robert Park and Herbert Blumer<sup>1</sup>. However, it was left to the next generation of scholars, such as Smelser (1962) and Turner and Killian (1972), to develop fully-fledged theories of collective behaviour. Collective behaviour was a name for an internally diverse class of phenomena ranging from spontaneous events, such as crowds, panics and riots, to organized and premeditated efforts such as religious sects, social movements and revolutions. Social and cultural trends such as mass migrations, fashions and subcultures were also categorised as collective behaviour, defined as the 'behaviour of individuals under the influence of an impulse that is common and collective, an impulse, in other words, that is the result of social interaction' (Park 1967, 226).

Crowds have never been held in high esteem by social analysts of either liberal or socialist orientations. The hero of the new epoch heralded by the French Revolution and the guarantor of democracy was a free and reasoning individual, whereas crowds were thought to lack the proper reasoning capacity. The reasoning of crowds was instead seen as primitive and impaired. They were considered to be irrational outbursts of emotions like anger or despair. And as such they personified the liberal bourgeois fear of the uneducated masses. Democracy had the shadow of tyranny attached to it in the shape of the crowd. The collective behaviour theory owes much to its predecessor, the crowd. Collective behaviour is regarded as a regressive type of behaviour in comparison with individual behaviour. Even the conceptual language betrays the analysts' attitude to collective behaviour as being something rationally inferior and socially unhealthy. Collective behaviour, it is argued, originates in impulse rather than reason, an impulse that spreads through a process of 'social contagion'. Cases of collective behaviour are compared to 'social epidemics'. It is a

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<sup>1</sup> See, for example, Park (1967) and Blumer (1995).

product of interaction that sets in motion beliefs, which are misguided and inadequate responses to the situation.

The earlier collective behaviour theory (Blumer and Park) was well advanced from of the point of view of social psychology, although somewhat primitive in sociological terms. Its efforts at explanation started at the point when individuals engaged in interaction that resulted in collective behaviour. Interaction was not simply a consequence of social proximity, but rather a product of common experience of members of a group. This common experience was described as a psychological condition of frustration. Yet the focus of the earlier collective behaviour theorists was not so much on that condition as on group interaction. Precisely why individuals found themselves frustrated, why frustration was a collective experience, or why those individuals would act on their frustration, was not made clear by the early collective behaviour theory. Collective behaviour was pronounced to have its origin in interaction rather than in the shared disconcerting experience.

Attempts to shed light on the social causes of group dynamics were made by the later generation of collective behaviour scholars, Smelser and Turner. They were the first to place groups of frustrated individuals who 'behaved collectively' within the context of a larger society, which had the shape of a normative order of Parsons' theory. Society was structure, and action was rooted in the structure. That is individual action. Collective action was something qualitatively different, not so much because it was collective, but because it was unconventional, or uprooted. Collective behaviour was closing the gaps which, from time to time, opened in the structure of normative order. It was a significant leap forward on the part of Smelser and Turner to replace the opposition "individual – collective" with that of "conventional – unconventional" (collective). It indicated a new direction in theorising collective action, which parted with the tradition of symbolic interactionism and embraced the structural vision of collective action influenced by Parsons' social theory.

Collective behaviour began to be seen as a product and manifestation of a specific structural condition characterised as impairment, malfunctioning, breakdown, or, to use Smelser's term, 'structural strain'. Individuals involved experienced this as anxiety, or frustration. It occurred in situations where the normally well-integrated structural components of social action slipped out of coordination, a condition which rendered established modes of action inoperative, irrelevant or unavailable. Collective behaviour was individuals' response to the discrepancy between action and structure which attempted to repair, or reconstruct a 'disturbed social order' (1962, 23). Alas, the repair was far from perfect.

The introduction of a structural perspective did not change the perception of collective behaviour as action based on problematic reasoning. If anything, Parsons' theory, which inspired Smelser, is used to support the thesis about the essential irrationality of collective action. Crowds and rationality were imperfect partners, but structure and rationality are no better ones. It seems that the structural strain, which produces a 'condition of ambiguity' that generates 'anxiety', is not conducive to reasoning and reason-based action. Like Park and Blumer before him, Smelser maintains that interaction produces beliefs which trigger action by redefining the actors' situation. His account of those beliefs, which he calls 'generalised beliefs', stresses their inadequacy: actors redefine their situation in a false and distorted, or in Smelser's own words, 'short-circuited' way. Mobilization to action is a product of an inadequate perception of the situation: exaggeration of threat. Yet, in spite of their inadequacy, generalised beliefs seem to fulfil the needs of the system and actors by reducing the ambiguity and restoring the endangered balance between the components of structured action. Collective action may be lacking in rationality from the analyst's point of view, but it is perfectly rational in structural terms. Actors' deficient rationality is compensated by a superior rationality located in the structure.

Though based on Parsons' theory of social *action*, Smelser's theory remains a theory of collective *behaviour* not only in name but also in essence. There is a difference between behaviour and action: the former originates in half-conscious impulses, the latter implies reason, or rationality. Parsons' social action is peculiar in this respect

because it is structured action. Its rationality is more a property of the structure than action. Rationality is something that characterises well-integrated and usually individual action. Collective action, on the other hand, appears disintegrated and devoid of rationality. Actors are not trusted to know their condition: they can only have misconceptions about it. Collective action remains a product of inferior, or impaired, reasoning. Relations between the components of structured action appear to be fixed in the structure, not in actors' minds. They are beyond actors' control and conscious influence. Even when those relations are impaired, actors cannot be fully aware of what it needs to repair the components of action. Collective action appears to be as abnormal as the condition of structural (action) disturbance that gives rise to it. The theory does not trust collective actors to be able to redefine the framework of action in a coherent and reasonable way, as such an admission would undermine the argument about the fixed nature of action components. Hence, collective action has to be rationally deficient, or in other words, it has to remain collective behaviour.

In a theoretical scheme of a normatively integrated system, such as Parsons', protest has no place. Nor has deviance. Both could only be regarded as a failure of integration. Indeed system itself usually treats them as such when it responds punitively, thereby attempting to reintegrate protesters and deviants through coercion. It agrees with the common-sense intuition, to think that protest, like deviance, disturbs and undermines social order. Smelser's theory, however, parts with this tradition. It regards collective action as something that arises from disturbance but contributes, though inadequately, to social order. When it restores social order it can produce change: change, however, is not an intrinsic element of Smelser's theory. The admission that collective action can be the first step in the process of social change remains an empirical observation, which is not incorporated into the theory.

## **Resource mobilization theory**

It required the later wave of theorists, who came to be known as the resource mobilization school<sup>2</sup>, to discard the concept of collective behaviour and return the capacity of reasoning to actors. This involved dissociating rationality from structure and locating it in action. The Weberian model of goal-rational action came to replace the Parsonian model of structure-rational action. Reasoning implies will: those who behave collectively in response to anxieties caused by structural strain have little will of their own. By contrast, those who act in the Weberian sense make informed choices on the basis of knowledge available to them. Not only do they have a clear vision or goal in mind, but they are also able to make adequate judgements about the resources needed and available to accomplish those goals. While the Parsonian model emphasises constraints on action, the Weberian model stresses the choices that actors make. In this model the relationship between action and its environment is not as strict as in Parsons' model, where the environment structures action, and action reproduces the environment.

Frustrated individuals of the collective behaviour theory become competent, reasoning, interest-pursuing actors when seen through the eyes of the resource mobilization scholars. This image has roots in the liberal theory of social order which views order as a product of individual actions in pursuit of self-interest. Constraints, such as normative integration, emerge through negotiation among competing individual interests. Within this theory individuals are trusted to know their interests and be motivated by them. Interests are the property of individuals, with group interests being a by-product of individual interests. Individuals of the liberal theory can occasionally form groups (co-operate) with others in order to promote their interests. From the liberal theory point of view structures of order are structures of interest representation; that is, political structures. Collective action finds itself in a new context, the polity. It discovers that it is not alone, that there are other collective actors, some of whom have institutionalised their existence. It realises that it does not

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<sup>2</sup> See, for example, McAdam, McCarthy and Zald (1996), Tarrow (1994), Morris and Mueller (1992), McCarthy and Zald (1987, 1979, 1973), McAdam (1982), Tilly (1978), Gamson (1975), Obershall (1973).



exist in a void, but within a structured space of institutional channels of interest representation. The crowd thus becomes a pressure group.

The resource mobilization school has normalised collective action. No longer is it seen as an abnormal response to an abnormal situation. Collective action becomes so close to conventional action that the opposition “conventional action - collective (unconventional) behaviour” loses its relevance. Protest becomes an element of order rather than disorder. The origin of protest is located in the routine operation of the system and not, as the collective behaviour scholars believed, in the system’s failure. To the extent that resources of protest are created by the normal functioning of the system, production of collective action is part of the reproduction of the system. Collective action emerges as citizen action. Individuals are members of the political community of the state. Being a member is a position of power. Individuals find themselves empowered by their position in the system as citizens with an interest in protecting those interests. Collective action becomes an issue of power: it originates in the relations of power, and is a manifestation of power.

The link between the distribution of resources among individuals constituting a system (society) and collective action by those individuals was never an issue for the collective behaviour theorists. Collective action existed in relation to the system rather than to the other actors within it. The liberal theory that informs the resource mobilization approach conceives of system as other actors, or more precisely relations among actors. Relations are built around the distribution of resources among actors. The resource possessed by every individual member of the political community is power. Some liberal theorists recognise that power might be unequally distributed within society, yet they all agree that individual members delegate power to the interest representation structures of the democratic state. Collective action from the resource mobilization perspective exists primarily in relation to its goal (as a means of its attainment), and through its goal it is connected to the environment, which is the environment of resources that enable action. Collective action is a mobilization of the environment (resources) and an exercise of power. It is a conscious and organized attempt to exert power in order to secure interests.

Insofar as collective action occurs in the environment of resources it appears unproblematic. Yet, to the extent that collective action involves mobilization of those resources to secure its goals, it remains problematic. The problematic aspect of action is associated not with resources as such, but with their mobilization. Resources exist in the surrounding environment, but they are not easily mobilizable. In the environment which facilitates action (by making resources available), action is still a problem, as resources have to be mobilized, and mobilization involves costs to actors. The existence of costs is not quite incorporated into the argument about resources. The resource mobilization theory cannot reconcile the availability of resources with the existence of costs of mobilization. While resources are structurally available, i.e. constitute part of the environment of action, costs are not located in the environment but in the action itself: this is something which action involves. The origin of costs remains unexplained. So the theory which emphasises the enabling elements of action's environment has difficulties accommodating the constraining elements in its scheme.

Action has to be organized in order to facilitate mobilization and achieve success. Collective action from the perspective of resource mobilization scholars is action by an organization. They even analytically separate collective action from the collective action organization, the former referring to the co-ordinated efforts of individuals motivated by a collective goal, the latter – to the structure which performs the task of co-ordination. Insofar as the organizational effort is necessary, collective action is an organizational problem: it is something that is expected to emerge, yet may fail to do so. The clearest statement of the problematic nature of collective action was made by Mancur Olson (1965): it is more rational for an individual not to participate in collective action as long as he or she knows that the participation of others will secure the collective goal. This became known as a 'free rider' problem. The argument is built on the premise that collective action involves costs for the individuals involved.

This seems almost a reversal of what collective action was originally perceived to be. The rise of collective action appeared anything but problematic to collective behaviour scholars. On the contrary, the ease with which collective action could suddenly emerge was considered slightly problematic: a concern shared with society at large, which would prefer it to be more difficult. The arrival of the resource mobilization school has changed this attitude. Collective action, originally perceived as a spontaneous outburst of emotion triggered by grievances, becomes a project in the minds of those who organize it. The emphasis shifts from causes of action to its effects. Collective action becomes something to be organized if one wants to secure a certain goal. Rather than an outcome of a previous condition (anxiety, structural strain, or discontent), it becomes a means to an end. The goal gains priority over action. It is for the sake of the goal that collective action exists.

When the rise of collective action was not a problem for actors, social scientists treated it as a problem: they had to explain why collective action emerged. The unproblematic origin in reality of collective action was problematized by the theory of collective behaviour. The common-sense wisdom has it that people protest because they have grievances, i.e. reasons to be unhappy about some aspects of their condition. Protest thus is a product of discontent. Social scientists made some additions to existing folk-sociological insights. Collective behaviour scholars found the origin of grievances in structural imbalances and explained how grievances were facilitated by communication processes within groups. Another argument located grievances in the cognitive processes. Grievances were seen as product of perceptions by individuals of their conditions. Collective action, they argued, is driven by a sense of relative deprivation: a gap that exists in the actors' minds between expectations they have of reality and what that reality has to offer. This came to be known as the relative deprivation theory (Gurr 1970).

Both the collective behaviour and the relative deprivation theorists shared an assumption that it was rational to protest if actors had reasons to be aggrieved. Collective action was a problem of emergent reasons (and causes) for action. The resource mobilization school has changed this. It was the first to consider grievances



irrelevant. Not that grievances do not exist, but rather that grievances are the permanent condition of social life, while protest is not. If this is so, then the rise of collective action is not a problem of grievances, but of something else. The theory argues that since grievances are always present there are always reasons for collective action. Reasons for action, which other theories treated as problematic, cease to be a problem for the resource mobilization scholars. Collective actors do not need to experience grievances to have reasons to act. They have reasons to act insofar as they have interests to pursue. Action is motivated by interests rather than by grievances. This is an implicit assumption of the resource mobilization argument, something that the theorists take for granted, but which does not form part of the theory.

To have an interest is to have a perception of entitlement, which can only arise from membership in the liberal democratic polity. Actors who pursue their interests play by the rules of the liberal democratic polity, thus reproducing the system itself. The same cannot be said about grievances. Actors who express grievances in collective action put the very existence of the liberal democratic polity into question. To have interests is to have confidence in the system that provides resources for their representation. The more actors feel aggrieved the less comfortable they feel within the system. Grievances betray the lack of confidence in the system. To have grievances is to perceive oneself as not fitting into the system, to have inadequate access to resources provided by the system.

Resource mobilization scholars can only find grievances unproblematic because they have substituted grievances with interests, which are not problematic. We all have interests, and insofar as we do we have reasons to act on them. If actors act on their interests rather than grievances, then the rise of collective action is not a problem of having reasons to change some aspects of actors' situation. It is not a problem of the cause of action (grievances or interests), as the collective behaviour school believed. Rather it is a problem of the means that actors have to pursue their interests and secure their goals. Action emerges when those means are available and the costs involved are marginal. The absence of means can make collective action problematic

even when reasons for action (i.e. interests or grievances) are not. The resource mobilization theory thus assumes a dual rationalisation model of protest: it might be rational to wish to achieve a goal, but it might not be rational to try and achieve it in the absence of the necessary means. So, the rise of action is related to the action's outcome. The existence of means to secure ends makes the ends less problematic and action more easily mobilizable. Thus, action is motivated by the possibility of success rather than by the rationality of the goal. Protest arises when actors have reasons to expect to be successful, that is when they have the means to secure their goals.

As means are not given but have to be mobilized, the rise of collective action becomes a problem of mobilization. Means that have to be mobilized to secure ends fall into two categories: resources and opportunities. Resources are an elastic concept: anything that can be remotely useful as well as mobilizable can constitute a resource for action. Originally the concept referred to money and material resources on which action depends. Later it was stretched to include what can only figuratively be described as resources: participants, their time, commitment, and expertise; the support of powerful allies and the public; access to the media and centres of decision-making. However, when a concept becomes so inclusive, it necessarily loses its explanatory value. It is difficult to see how resources contribute to the success of collective action – in other words, what makes them resources. The instrumental model of collective action adopted by resource mobilization theorists imposes limits on our understanding of the nature of resources. It forces the analyst to rely on the actors' judgement of what constitutes a resource for action. In other words, those things are resources because they are mobilized, and they are mobilized because actors think they can help them to succeed. While the theory is concerned with explaining how actors proceed with organization and mobilization, success remains a matter of contingency. We do not know why it happens. The theory limits its task to the description of the ingredients of success (such as resources and opportunities), but how those ingredients combine to make success remains a mystery.

Resources appear to be differentially available to actors within the polity. Similarly, mobilization seems to involve more costs for some actors than for others. It is a predicament of the liberal theory of justice: though everyone is welcome to advance their interests, not everyone has equal means to do it. Equality in relation to ends is not matched by equality in relation to means. Marxist critics were quick to point out that power is not an equally distributed resource, as the resource mobilization theory likes to assume. Collective action, they argue, is more problematic for the disadvantaged social groups, i.e. those who are poorly integrated into the liberal social order and whose interests are underrepresented by the existing representation structures. Their access to resources of the system is problematic, which is why they are more likely to use the negative resource of disruption to make themselves heard. By withdrawing their contribution, on which the smooth functioning of the system depends, they can succeed in putting their interests on the policy agenda. Protest thus appears to be an alternative channel of interest representation for those whose interests have been overlooked by the existing representation structures.

The concept of resources was central to the resource mobilization approach (as the name indicates) until another concept was added to it, the concept of opportunities. Had the resource mobilization school been more interested in Parsons, it could have discovered the other concept a lot earlier. It was Parsons who identified means and conditions as two related elements of the action's situation. The division matches that between resources and opportunities. Collective action needs resources (means) to achieve its ends, but it exists within the space of opportunities (conditions). The concept of opportunities (like the concept of resources) describes those features of the action's context which make action more or less difficult to mobilize and more or less likely to succeed. Opportunities are facilitators of mobilization and success.

It was already clear to the collective behaviour scholars that some contexts are more conducive to collective action than others (Smelser 1962). In fact, there is not much difference between what Smelser defined as 'situational facilities' (1962, 28) and what, two decades later, resource mobilization scholars would term the 'political opportunity structure'. Opportunities are available to actors in the form of knowledge

about the context of action. Indeed they make no sense as opportunities unless they are known to actors to be opportunities. Thus, the concept has two aspects: it describes both the properties of the structural environment of action, and the meanings that reflect or construct those properties. The meanings concern resource acquisition possibilities on the one hand, and assumptions about the responsiveness of the polity to the action's claims on the other (Kitschelt 1986). Where resources are easily available and the system is responsive, action is more easily mobilized and more likely to succeed.

Since mobilization depends on opportunities, the latter have to be known to actors. Thus, the knowledge of opportunities does not constitute a problem for actors. At the same time it constitutes a problem for analysts of action. There has been much discussion about opportunities lately, yet all we know with certainty so far is that opportunities vary over time and across societies, and that variations arise due to different configurations of power relations in different social contexts. Various characteristics of the action's context have been identified as comprising the political opportunity structure: the relative openness or closure of the polity, stability of political alignments, absence or presence of powerful allies, or degree of state repression (McAdam, McCarthy and Zald 1996, 27). Opportunities thus describe the balance of power between the collective actor and their opponent: it is what renders protesters powerful and their opponents vulnerable.

Opportunities are only opportunities insofar as they are located in the minds of actors. Outside cognitive mental processes they are not opportunities. Rather, they are actors' positions in relation to other actors, i.e. actors' power positions. Opportunities are actors' interpretations of the relative positions of power they and other actors occupy. Therefore, it is misleading to use the concept to refer both to the configurations of the structure *and* to the meanings actors derive from it. The resource mobilization theory, however, does not see power in relational terms. It associates power with mobilizable resources. Action is opposed to its context and not to other (and others') actions. The opposition "action – context" is not very helpful when one has to explain why some actions fail while others succeed within the same



context of opportunities. The causes of failure will have either to be attributed to the action's inadequacy to the context of opportunities, or to the inadequacy of the context of opportunities to action, that is to a dissociation between context and action. But this fails to account for the causes of such dissociation.

The concept of opportunities manifests the difficulties experienced by scholars trying to understand the conditions in which collective action appears. When they cannot explain why levels of mobilization and success vary, they attribute this to varying opportunities for action. Opportunities thus are postulated on the basis of evidence of upsurges and declines in mobilization. What the theory cannot do is derive action from opportunities: identify opportunities and predict the levels (or forms) of mobilization on the basis of existing opportunities. There can be better or worse opportunities, but it is difficult to find situations that could be described as a total absence of opportunities. Such an admission - that there are always opportunities, sometimes bigger, sometimes smaller - undermines the value of the concept, as it makes opportunities a matter of degrees. Moreover, insofar as opportunities are defined by actors they have a character of self-fulfilling prophecy: the emergence of action is a statement of the existence of opportunities, at least in actors' understanding. It is impossible to check the actors' judgement against the judgement of the theorist, because the latter relies on the emergence of action to reveal the existence of opportunities. Nor does the theory know, or has made an attempt to find out, whether actors act on opportunities or just act regardless of opportunities.

There is a close affinity between liberal politics and liberal economy. In liberal theory political behaviour is an extension of economic behaviour and is modelled on the latter. Pursuit of self-interest within the polity resembles pursuit of profit on the market. Liberal politics, just like liberal economy, is a competitive arena where individuals compete for limited resources in order to put their interests on the political agenda. Economic terms and metaphors permeate the discourse of resource mobilization theory, reflecting its liberal origins. Involvement into collective action is considered to be as risky as capital investment. Hence the costs and benefits of participation have to be calculated by individuals before they join the action. Thus,

collective action is regarded as an investment of time and effort, which depends on the cost-effectiveness of the enterprise. Furthermore, collective action is compared to a business organization, which mobilizes resources, estimates opportunities and chooses the most successful strategies. The action leaders are referred to as 'entrepreneurs', and organizations are said to exist in the competitive environment of collective action 'industries' organized around similar issues. Whereas the rational choice model seems applicable in the sphere of economic decision-making, where profits and risks are easily quantifiable, the same cannot be said about political decision-making, where the calculation of costs and benefits is more problematic (e.g. whether something is risky or beneficial can be a matter of subjective interpretation).

The rise to prominence of resource mobilization theory has signified an important change in social scientists' perception of collective action. The frustrated individual described by collective behaviour theory was pronounced dead. Uncontrollable impulses and social contagion have sunk into oblivion together with the concept of collective *behaviour*. Irrational crowds have been transformed into super-rational enterprising collectivities. A rationally impaired spontaneous action has become an emotionally impaired calculated project. Too much rationality seems to be just as bad as too little. The individuals of the collective behaviour theory were at the mercy of groups; in the resource mobilization theory individuals are egoists who treat groups instrumentally.

The contrast between these two visions of collective action is striking, especially when taking into consideration the fact that both theories are part of the American academic tradition and reflect American realities. Either we have to admit that the nature of collective action has changed sharply some time between the reign of the collective behaviour and resource mobilization schools, or else we must attribute the contrast to the different influences on the social scientific tradition of theorising collective action. Having exhausted the psychological perspective of theorising collective action, scholars turned to the economic perspective. Yet which of the two images of action is more accurate? The question must be addressed to cure

individuals from the split personality disorder, which they seem to have acquired as a result of treatment by social scientists.

The collective behaviour theory was a theory about people acting collectively. It set out to explain how collective behaviour emerged out of individual behaviour. The resource mobilization theory, on the other hand, has people trying to change certain aspects of their lives through collective effort. The focus has thus shifted from the *collective* aspect of action to the *action* aspect. Action is seen primarily as an instrument of change and only secondarily as a collective affair. The opposition “action – change” replaces the opposition “collective – individual”. The concept of collective behaviour conveyed the image of a plurality of actions. Collective behaviour was a composite phenomenon. From the perspective of resource mobilization, the nature of collective action is much more unified. Collective action is believed to be an organized effort of a collectivity, a manifestation of a collective will for change. These developments have called for a change in terminology: the purposeful rational activity that collective action is now perceived to be can hardly be described as collective behaviour. Instead, the resource mobilization school has adopted a new term that conveys the image of action as a rational endeavour and organized expression of collective will for change. This term is social movement.

It has proved to be a fortunate choice. The concepts of social movement and collective action are now almost interchangeable. Collective action is no longer studied as a generic category, with social movements being a subcategory of collective action. That was the collective behaviour theory’s approach to social movements. Now social movements epitomise collective action. Anything collective and change-oriented has been labelled a social movement. The term is applied to a wide variety of mobilizations that take different forms and advocate different issues. Though social movement is still defined as a *case* of collective action, drawing a distinction between the two concepts has become increasingly difficult. To what extent this reflects the changing realities of collective action, or just changing intellectual fashions, remains uncertain. Whichever the case, social movement



studies have established their place within the discipline as a new and fast-growing area of specialised research and theorising.

The concept of collective behaviour originates in academic discourse. Those who behave do not refer to their actions as behaviour. It is those who observe those actions who label them as such. The concept belongs in the world of positivist experimental science and suggests the superiority of expert knowledge: instances of collective behaviour are to be observed, analysed and explained. Social movement, by contrast, belongs in the activists' discourse. It has its origin in the 'real' world. The first appearance of the term is traced back to the 1840s and the period of revolutionary upheavals in Europe (Luhmann 1993, 135). Social movement was the self-name of a new form of collective action, born in the aftermath of the French Revolution, which has since become an important social institution of the modern era (Wallerstein 1991, 16). Such collective action aimed to change the world and bring about a different future. Social movements are conscious self-reflecting agents of social transformation based on a vision of a better future, or ideology. Unlike previous mobilizations, social movements recognise themselves as agents of history, just as the word 'movement' itself refers to both the movement of people and the movement of history.

## **New social movement theories**

Between the first appearance of social movements on the historical scene in the middle of the 19th century, and the emergence of the sociology of social movements in the second half of the 20<sup>th</sup> century, lies a gap of more than a hundred years. It could be that the decisive factor behind the formation of the academic studies of social movements was not so much the sheer scale of protests in the 1960s as a remarkable change in the type of publics involved in those mobilizations. It was the unprecedented involvement of the normally well integrated and regime-loyal *middle classes* that draw the attention of social scientists to social movements. So long as the majority of participants in the movements were the disadvantaged social groups (the lower classes), mainstream sociology remained indifferent to collective action. It was



the revolt of the 'haves' against the background of silence from the 'have-nots' that posed a problem for a sociological explanation. Collective action by the disadvantaged was considered anything but problematic. On the contrary, activism of the middle classes *was* unreasonable, as they had all the reasons to be content with the social order. This middle-class radicalism posed a challenge to the accepted sociological wisdom of the time.

Both European and American scholars set out to make sense of the collective mobilizations they were witnessing in the post-war period. The involvement of the middle classes in organized protest made collective behaviour explanations redundant: what better characterises the well-educated middle classes than reason and judgement based on it? The collective behaviour theory undervalued that element of collective action: the resource mobilization theory was the American response to the failure of collective behaviour theories to account for middle-class radicalism. In Europe quite a different theory emerged. Whereas American scholars saw the post-war movements as the continuation of liberal politics and therefore considered contemporary mobilizations to be nothing particularly new, the starting point for their European colleagues was precisely the novelty of the phenomenon they were seeking to explain. In Europe a slightly different frame of reference which was not liberal was adopted: in fact it was anti-liberal and Marxist. From the Marxist point of view the post-war middle-class mobilizations appeared to represent something new. The new approach, accordingly, came to be known as the new social movement theories (Touraine 1971, 1981, 1985, 1988, 1992, 1995; Melucci 1980, 1984, 1985, 1988, 1989, 1995, 1996; Castells 1983, 1997; Offe 1985; Eder 1985, 1993, 1995).

The resource mobilization and collective behaviour theories were universal theories to the extent that they did not specify which empirical reality they were referring to. On the contrary, the new European theories have a concrete empirical point of reference. They set out to explain historically specific mobilizations which came in existence after the Second World War and which they defined as the new social movements. There is a considerable confusion (pointed out time and again by the

scholars themselves) as to which movements fall under the 'new' category and, after several decades of research on the subject, the boundaries of the category still remain fuzzy. The indisputable core of the new movements was formed by the triumvirate of peace, environmental and anti-nuclear movements. Beyond those three main new movements there is no unanimity of opinion as to which other movements should be included in the category. Most scholars would add feminist, homosexual, and animal liberation movements to the list of new movements. Others would draw a wider circle, including movements of ethnic/racial minorities, student mobilizations, religious fundamentalism, regionalist and nationalist movements, communitarian initiatives and citizen mobilizations over issues of health, education, taxes, provision of services, etc.

The new movements differ from previous mobilizations in terms of their membership (participation base) and the issues they choose to advocate<sup>3</sup>. Issues and the participation base of the new movements became the two main areas of sociological inquiry. The two are closely connected and indeed inseparable from each other. The participation base of the movement depends on the issues it advocates. Within the resource mobilization approach this link does not exist: it is believed that issues of the movements are more or less irrelevant to the process of mobilization or its outcome. Participation is seen as a result of weighing the costs of involvement against the benefits of achieving the goals. Issues (goals) are connected to means, in line with the instrumental model of action. In the European model issues are linked to the participation base insofar as both the issues and the participation base are shaped by the changing nature of the structural context in which the movements occur. Thus, the model of action that the new social movement scholars employ is that of structural action, or action rooted in the structure. This is as much as Marx and Parsons share in common. The rest sets them apart.

Whereas Parsons's theory of order is a theory of normative integration, Marx's view of order is that of conflict. In marked contrast to the organic and functionalist

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<sup>3</sup> This is not the only thing that is new about new social movements. It has been argued that the repertoire of action and the organizational structures are also new. Yet those innovations derive from the novelty of issues and the participation base of the new movements.

schemes, Marxist theory makes conflict the central structural property of the social system. Systems reproduce themselves through the enactment of structural contradictions and social conflict. Insofar as collective action manifests the central structural conflict it forms part of the logic of the system. Therefore it cannot be regarded as an expression of the structural breakdown and normative disintegration undermining social order, which is the functionalist interpretation of collective (disruptive) action. Yet collective action does involve normative disintegration according to Marx, e.g. the crisis of ideology accompanied by the collapse of false consciousness. Rather, in Marx's view, integration and disintegration are the two attributes of the system, which cannot be separated from one another.

Structural action is not located exclusively in the structure: it is not a totally disinterested, absolutely determined action. Marxist model of structural action incorporates elements of instrumental model of action. Insofar as it recognises actors pursuing their interests, Marx's argument connects with that of liberals who incidentally are also conflict theorists, as they start with an assumption of conflict of individual interests. Although both liberals and Marxists believe that individual and collective action is driven by interests, they part company when trying to explain the origin of interests. Liberals believe that interests are properties of individuals while Marxists argue that they are attributes of social groups (and individuals insofar as they form groups). Furthermore, interests, according to Marxists, are structurally, not only socially, determined. They are created by the structural positions of individuals and social groups in relation to the means of production, which are historically specific. One group is related to the means of production through their labour, while the other through the ownership of the means of production. The relations between those groups are relations of production, crucial for the reproduction of the resources which constitute the system, and also relations of exploitation, where one group appropriates the results of the labour of the other. The main social groups thus related are classes. In industrial societies these are the working class (proletariat) and the capitalist class. Social order from the Marxist point of view is constructed by relations of class domination and class conflict. The latter finds its expression in collective action. In Marxist interpretation, collective action is class action: it affirms

class interests and manifests class conflict, whereas social/class conflict is itself an expression of deeper structural conflicts, the contradictions intrinsic to the dominant mode of production.

Marxism is a synthetic social theory. Not only is it a theory of order as conflict, it is also a theory of social change which is rooted in class conflict and accomplished through collective class action. Thus, it is also a theory of class action. Given that collective action as an expression of class conflict is rooted in systemic developments, it would seem that mobilization should not be a problem for Marxist theorists. Yet it has proved to be. This time, however, it is not only a problem of resources and opportunities available to actors, as the liberal, resource mobilization theory maintains, but rather a problem of actors' consciousness. Class movements may be part of the unfolding logic of history, yet to fulfil their historical mission they need to have the consciousness that would merit historical actors. Social interests have to recognise themselves as class interests before they can mobilize. Consciousness is the umbilical cord connecting class actors to history. But to what extent consciousness is a product of systemic developments, and to what extent it is independent of the system, and is a result of consciousness-raising efforts by Marxists intellectuals, is not an entirely clear point in the Marxist theory of social change.

It was the Marxist outlook that allowed the European analysts of the post-war social movements to 'notice' that they were *not* class movements. This 'fact' completely escaped the attention of their American colleagues who were witnessing the same phenomenon but were raised in a different theoretical tradition. Not that the new movements were not class movements per se. On the contrary, they had an all-too-explicit class nature, as they consisted predominantly of middle-class participants. Yet despite this they were not identified as class movements because they were not the *same* class movements. To vindicate the Marxist analysis of class and class conflict, it was necessary that movement be the working-class movement, i.e. the oppressed-class movement. The new movements consisted neither of the working classes nor the oppressed classes. Therefore, from the Marxist perspective, they were



not class movements, even though in the Weberian sense they were mobilizations of a specific class.

It was their non-working-class character that earned the post-war movements their *new* label. They were new insofar as they were not working-class movements and therefore could not be explained in terms of the Marxist theory of class conflict in a capitalist society. Raised as many of them were in the Marxist tradition of thinking, the European scholars of the post-war social movements were confronted by protests that called the Marxist explanatory framework into question. According to Marx, middle-class mobilizations should be problematic. Marx would never have imagined that in a fully developed industrial society the bourgeoisie would be far more likely to mobilize than the proletariat. According to Marx, the period of bourgeois radicalism coincides with the rise of industrial society, while in mature industrial societies the bourgeoisie becomes the dominant class. In practice, however, middle-class movements are not problematic in advanced industrial societies. Instead, they expose problems with the theory that describes them as problematic.

The problem lies with the thesis that mobilization is a product of an oppressive class relationship (class conflict). An oppressed class mobilizes against their oppressors. Thus, from the Marxist perspective, social movements are class movements expressing the conflict between two asymmetrically-related classes, the dominant and the dominated. The earlier versions of the new social movement theories shared this view. To cite Touraine (1981, 94), one of the leading figures in new social movements studies, 'social movements and class struggles are synonymous expressions' and 'there exist no class relations separable from class action' (see also Melucci 1980, Castells 1983). If this is what they think about social movements in general, they should have no problems regarding the new movements as class movements. However, the issue whether the new movements are or are not class movements is one of the most debated, and constitutes one of the central problems of the new social movement approach (see Maheu 1995).

No such problems exist with the old (working-class) movements, which, most scholars agree, *are* class movements. This is slightly odd, since it challenges the generalisation about social movements being class movements. It seems that some social movements are class movements while others might not somehow qualify. The working class mobilizations qualify as class movements because they are the oppressed class in the central class relationship (conflict) between capital and labour. The only problem with them is that they are on the decline. But this problem is 'solved' by the institutionalisation argument: in advanced industrial societies the central conflict between capital and labour is institutionalised, and this explains why the working classes are not as active as they used to be (Offe 1984, Habermas 1987). Thus, Marxist class analysis is believed to be relevant for the explanation of working-class activism. The problem only appears when one attempts to account for middle-class radicalism using the same analytic categories.

To be considered class movements the new middle-class mobilizations have to be linked to a class relationship where the middle class would be the oppressed class. While usually affluent middle classes do not lend themselves easily to oppression theories, describing them as oppressed is not an impossible task. The 20<sup>th</sup> century Western Marxists have reconsidered Marx's views, arguing that middle classes cannot be reduced to the bourgeoisie and instead occupy 'contradictory class locations' (Wright 1996). In other words, they share interests with the oppressed as well as the oppressors. Thus, middle-class radicalism can be accounted for in Marxist terms, as the revolt of the oppressed, provided one can identify the forms of oppression experienced exclusively by the middle classes. It is more difficult to identify their oppressors, i.e. identify the class relationship of which they form a part. Most importantly, the middle class cannot be in the same class relationship as the other, unproblematically oppressed class, the working class. Thus, while the new (middle-class) social movements have to be manifesting a class conflict, this cannot be the conflict between capital and labour, which Marx describes as the central conflict in industrial society. If one is to explain middle-class mobilizations in class terms, the class conflict in industrial societies cannot be reduced to the relationship between capital and labour. It has to be another conflict which Marx could not have

envisaged: a new conflict which one could attribute to changes in industrial society or an unnoticed conflict attributable to omissions in the classical Marxist analysis.

Thus, the only way to rescue the Marxist explanatory framework is to revise it<sup>4</sup>. Material for the revision of the inadequate theory is found in what that theory purports to explain: the social movements. The decline of old movements is taken to indicate the institutionalisation of capital-labour conflict, whereas the new movements are drawn as evidence of the persistence of conflicts in advanced industrial societies and their changing nature. It is believed that the new struggles offer an insight into what the new conflicts, which account for their origin, really are. The central assumption behind the new conflict theory is that while conflicts may change, they do not disappear. If the old theory of conflict is inadequate, that is because change has occurred which has made it inadequate, not that it has always been inadequate. A theory about the rise of the new conflicts which have come to replace the old ones is built on the Marxist premise that, as societies progress from one stage in the development of productive forces to another, the conflicts in those societies also change. Change accounts both for the rise of middle-class mobilizations and the decline of those of the working class.

All new social movement scholars agree that change is taking place in contemporary societies. The latter can still be described as modern, industrial and capitalist, yet they have also entered a new stage. This has been described as postindustrial (Touraine 1971, Eder 1993), high/late modern (Giddens 1990), late capitalist (Habermas 1976), highly complex (Melucci 1996), postmaterialist (Inglehart 1977), risk society (Luhmann 1993, Beck 1992), and network society (Castells 1997). Perhaps the term 'postmodern society' best summarises this terminological diversity. Prefixes (such as 'post') or qualifying adjectives (such as 'late' and 'high') attached to the original term reveal that the new stage has many of the characteristics of the previous one as well as new ones. In other words, when we define contemporary societies as 'postmodern', we are signalling that we still consider them to be modern

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<sup>4</sup> There is another option, however: to discard the notion of class conflict and admit that class is too crude a category to account for some (or all) social mobilizations.



in many respects. To make sense of the recent changes in industrial modern capitalist societies, scholars utilise categories of analysis set up by Marx and Weber in the late half of the 19<sup>th</sup> and the beginning of the 20<sup>th</sup> century. The new movements are explained with the help of the same processes that are said to have given rise to the old ones: modernisation, industrialisation, rationalisation, production and appropriation of resources.

There are two lines of argument concerning power relations in advanced industrial societies. One is a familiar Marxist one. The other is Weberian. Weber has been an important source of influence on the new social movement theorists who have attempted to repair the imperfections of the Marxist class argument with Weber's analysis of rationalisation. The Marxist line locates conflict and oppression in the relations of production and appropriation of resources. The Weberian line locates oppression in contradictions inherent in the process of rationalisation in industrial societies. It is true that oppression is not a Weberian concept. He certainly did not see rationalisation *as* oppression since he did not choose to explain social conflicts. Oppression has been introduced into Weber's scheme of things by the new social movement scholars whose task is to explain new social conflicts, which they cannot do without adding a bit of Marx to the largely Weberian analysis. Oppression is a Marxist theme, and it is closely related to another Marxist theme, emancipation. Conflicts indicate the presence of oppression as well as the emancipatory efforts to overcome it. Where there is power there is resistance: the operation of power is inconceivable without it (Foucault did not invent anything that was not already in Marx). The project of modernity, as it is presented by the new social movement scholars, is not only that of rationalisation, but at the same time, and more importantly, is that of emancipation. Rationalisation, as described by the new social movement theories, produces forces that rise against its oppressive tendencies.

However, the Marxist 'grave-diggers' argument does not quite work in this case. Rationalisation is not as bad as capitalist exploitation. One does not get rid of rationalisation, one just attempts to set it right. Rationalisation is not intrinsically oppressive. In fact, it contains two contradictory tendencies – oppressive and

liberating. Melucci (1996) describes this as individuation versus integration. While individuals have more symbolic resources at their disposal to define themselves as subjects of action (individuation tendency), they also experience growing pressures from the systems whose integrating, i.e. controlling and regulating, powers have also substantially increased (1996, 92-3). According to Touraine (1995a), 'bad' rationalisation involves a separation of processes of subjectivation from those of rationalisation. Individuals' capacity for self-autonomy is thwarted by the subordination of reason to power. The most elaborate version of this argument is Habermas's (1987) theory of 'colonisation of the lifeworld' by functionalist reason. He believes that the conflict is between two opposite principles of integration, which also form two different rationalities: social (discursively mediated) integration of the lifeworld (communicative rationality) on the one hand, and a system (money/power mediated) integration of the economy and polity (functionalist/ instrumental rationality) on the other.

The current conflict thus appears to be different from the social conflict identified by the Marxist tradition. The new cause of oppression is the appropriation of reason rather than of economic/material resources. It is no longer one class depriving the other of their fair share of socially-produced resources, but individuals deprived of their selfhood and freedom by complex impersonal instrumentally oriented systems in which they belong. Oppression is seen as intrinsic to structures (as Marx once attempted to demonstrate), but structures are conceived somewhat differently: as bureaucratic systems rather than materially mediated social relations. It is not the relations of property and production but those of control and subordination that constitute relations of oppression. The adversary is identified sometimes as bureaucratic apparatuses of technological, economic and political decision-making (Touraine 1981, 103; Touraine 1995a, 167; Melucci 1996, 99), and at other times as the impersonal bureaucratic systems themselves and the values and principles underlying them (Touraine 1995a, 322).

The unprecedented growth of systems and the shrinking of society are products of the process of rationalisation. Unrestrained technological development resulting in

'risk society' (Beck 1992), economic growth leading to the rise of consumer society, and the bureaucratisation of the public sphere (Habermas 1989) are all seen as part of that process. In rationalised industrial societies oppression acquires a truly systemic character. The conflict is no longer between social groups but between systems and individuals irrespective of their social group membership. The side effects of the expanding instrumental reason pose a threat that transcends class boundaries: it is not the social interests but the individual life-chances that are being undermined. Class loses its importance as a principle of social organization (Melucci 1996, 234) and as a source of meaning, purpose and identity (Castells 1997, 6-7). This process is referred to as the individualisation of identity (Castells 1997, 65). Identities become 'more pluralised and privatised' (Kumar 1995, 122) while social interests, accordingly, get more diversified and fragmented (Castells 1997, 271). Power relations still define identity, the latter being both the site of disempowerment and the source of power, but the new identities reflect the changing nature of power relations in advanced industrial societies, where power is associated with production and control of symbolic rather than material resources.

At this point the Weberian line of argument (oppressive rationalisation) connects with the Marxist line, which locates oppression in relations of production and appropriation of key social resources. A theory of transformation of social resources has been proposed by Touraine (1995a) and Melucci (1996) who argue that in post-industrial 'programmed' societies the central resource whose differential distribution constitutes relations of power is knowledge/information, or the capacity to construct meaning. Cultural production, defined as production of knowledge (Touraine 1995a, 244), 'social relationships, symbols, identities, and individual needs' (Melucci 1996, 99), grows in importance over material economic production. Departing even further from Marx, they argue that control is more important than ownership in shaping relations of power: the conflict is over who controls 'the means of cultural expression' (Eder 1995, 40) or defines 'the goals of cultural production' (Touraine 1995a, 246). Consequently, exploitation is re-defined as 'deprivation of control over the construction of meaning' (Melucci 1996, 182): it has transcended the sphere of material production and entered the sphere of reproduction and identity-formation.

Thus, in advanced industrial societies oppression appears to be symbolic as well as systemic: systems that subordinate individuals are systems of cultural domination. And cultural domination begets cultural resistance. Therefore, it is little wonder, according to the new social movement scholars, that contemporary movements take the form of identity struggles, identity being so inextricably linked with meaning. The word 'identity' describes both the issue and participation base of a movement. It is one of the key words in the vocabulary of the new social movement scholars. It is also a very inclusive and indiscriminate concept, which can be stretched to embrace all sorts of issues from nuclear safety to age of consent. And it is being stretched to the limits: mobilizations around issues of gender, sexuality, age, race, ethnicity, nationalism, regionalism, environmentalism, spirituality are all described as identity movements. However, there are limits beyond which this concept cannot be taken. The list contains two important omissions, class and citizenship. Identity struggles, as conceived by the new social movement scholars, are those which are neither class nor citizen mobilizations. Anything else goes.

When class is withering away (Melucci 1996) and civil society disintegrating (Castells 1997, 11), it is culture which takes over (Touraine 1995a). The new 'politics of identity' (Calhoun 1994, 19-20) symbolise a new phase in modernity. Like astrological eras dominated by different zodiac signs, historical phases of modernity each have their ruling principle of societal organization. The liberal age, dominated by the issues of political inclusion, gave way to the era of socialism, with its struggles over economic equality. With both now in decline, modernity is changing zodiac signs once again. According to the prognosis of postmodern social astrology, we are entering the era of Difference. To be acknowledged and recognised as an individual, to be able to construct the meanings of one's actions and thereby one's identity, is apparently all that matters. Recognition of individuality and difference is perceived as the new principle of integration. Society is changing direction: from politics of class and citizenship to 'politics of recognition' (Touraine 1995b). As usual, postmodern theorists face problems accommodating residuals of modernity in their theories of postmodern age. Class politics have not disappeared,

merely become institutionalised. The politics of citizenship have proved even more enduring than class. The issue of citizens rights features in the new movement discourse as it had before in the workers movements.

Identity struggles are described as a new form of emancipation. Unlike the old emancipation of classes (through economic equality) or citizens (through political inclusion), the new emancipation entails the liberation of individuals as Subjects (Touraine 1995a). The term 'Subject' is understood to represent ultimate freedom: it is not the social self or the personal ego, but 'freedom from the image of the individual created by the roles, norms and values of the social order' (Touraine 1995a, 292). Once upon a time collectivities defined individuals by ascribing identities to them (e.g. class, civil society) and dictating modes of action. Now, if one is to believe new social movement scholars, individuals produce collectivities by actively constructing the meaning of their actions and their identity. Those are collectivities of struggle wherein individuals collectively reject the meanings imposed on them by social order and construct new meanings, identities and solidarities (e.g. Melucci (1988, 1996) on collective identity). Subject, therefore, is a product of action while action is defined as opposition to power (Touraine 1995a, 289).

The question is whether Subjects can be what they are, i.e. free, while acting to reproduce rather than subvert social order. Touraine presents all social roles as lacking freedom simply because they embody sociality (order). Yet he is not an anarchist (rather a nihilist): he believes that the goal is to set everyone free, which requires a reconstruction of the world on new and as yet undefined principles (Touraine 1995a, 295). Nevertheless, such a reconstruction will involve the appearance of a new social order. Will the Subjects die a natural death after ultimate freedom is achieved, or will the struggle continue indefinitely because it is through rejection of order that Subjects realise their subjectivity? If the first is true then it is the social roles as such that constitute an obstacle for subjectivity. If the second is the case, then it is hard to see how the struggles for emancipation of the Subject will ever come to an end. The only freedom available to individuals will be the freedom of



engaging in a struggle against power, and the only self-assumed social role (and identity) will be that of a professional freedom fighter (compare Lenin in *What Is To Be Done?* on the social role of a professional revolutionary). If free subjectivity is formed through the denial of a social self, then it becomes elusive and essentially unattainable. If it can be reconciled with the social self, then freedom is in principle compatible with the *existing* social order (though incompatible with the radical position adopted by many of the new social movement scholars).

The novelty of the emancipatory project carried out by the new movements consists not only in *who* is being emancipated (subjects, not classes), but also in *how* the subjects are to be emancipated. All the leading theorists agree that the new method of emancipation is through action oriented to meaning rather than power. Replace 'meaning' with 'understanding' (in the previous sentence) and one has *The Theory of Communicative Action* of Jürgen Habermas. Perhaps the new social movement theorists took their inspiration from Habermas, but more likely it is a reflection of the fact that Habermas's theoretical development was influenced by middle-class movements of the 1960s. His *magnum opus* was itself an attempt to give as thorough as possible an explanation of the new mobilizations. So, meaning is the locus of resistance in late modern societies. New movements are seen as 'symbolic challenges' (Melucci 1988) rather than strategic endeavours. They are cognitive not revolutionary practices: sites of production of new knowledge rather than new governments (Eyerman and Jamison 1991). They do not seek to superimpose their meanings on the rest of us, just claim autonomous spaces where they can construct meanings as they please and be 'different'. They reclaim space not power, and can be seen as 'cultural laboratories' (Melucci 1988) outside the systems which are themselves laboratories of cultural domination. There they can construct the new subversive meanings, which obviously could not be produced, or rather tolerated within the systems. Resistance thus is spatially segregated from domination, a fact, which, interestingly enough (and somewhat counter-intuitively) suits resistance but not domination. Spatial segregation does not amount to spatial containment.

There is something familiar in this arrangement: old party-led class-liberation movements overly engaged in revolutionary practices, which are partly discursive, producing new liberating values. At those times struggles over power (interests) and struggles over meanings (values) were inseparable from each other. Now, we are told, the struggles are exclusively about values. In late modernity, we are led to believe, liberation comes not through acquisition of power but through improved self-understanding, identity construction and reasoning. It is the reasoning capacity that late modern actors are so anxious to re-appropriate. Touraine (1995a) refers to this as the reunification of Reason with the Subject. Habermas (1987) calls this a triumph of communicative rationality. Power is being challenged indirectly by questioning the rationality underpinning the structures of power (the functionalist rationality embodied in the systems). The challenge is cultural and non-systemic. It does not involve superimposing a new system in place of the old one, because it is the systemic quality of the system that is recognised as a problem. Instead, they challenge the system by actively practising the contrary rationality, discursive rationality of the lifeworld.

The point of the new movements is neither reform nor revolution, but communication. Both revolutionary and reformist routes of change embody the instrumental rationality of the systems, and therefore are rejected. Only through meaning-oriented action (cultural resistance) can individuals regain their lost autonomy as reasoning Subjects. Political control is off the agendas of the new social movements. They prefer to engage in communication with the rest of society. The message they spread is about the existence of a systemic problem, an invisible oppressive power in operation (1988, 60). But the message is not expressed in words, but in action: 'the message of such movements is their action itself – not what they state for record or claim as its content' (Melucci 1996, 183). It seems that Melucci grants more competence to the audience, which experiences no problems understanding the message, than to the authors of the message, who often seem to be mistaken about the message they are sending, thinking that the message is expressed in their explicit action orientations.



By practising communicative rationality the new social movements recreate the modern democratic public sphere which has been endangered and diminished by functionalist systemic rationality (Habermas 1987). Democracy as the integration of social interests through political representation is said to be in crisis (Habermas 1976; Castells 1997). It might be legitimated but it is definitely not rationalised (Habermas 1971, 68). Even legitimation has recently been a problem (Habermas 1976). Therefore, emancipation is linked to the reconstruction of the democratic project of modernity, which involves reorganizing the public sphere on the principles of communicative rationality. True democracy is defined as 'the rejection of everything that stands in the way of individual and collective freedom' (Touraine 1995a, 257). What constitutes freedom has to be agreed rationally, i.e. by consensus arrived at 'through discussion free from domination' (Habermas 1971, 10). Thus, democracy is seen as a method of 'institutionalised conflict resolution' (Touraine 1995a, 347) which results in rational power which somehow is not an enemy of either individual or collective freedom.

Rationalisation is portrayed as a double-edged process: on the one hand empowering the Subjects through communicative rationality, and on the other disempowering them through the growth of functionalist systemic rationality. The two tendencies are considered to be inseparable, yet are also separated to offer a promise of emancipation. It is believed to be possible to get rid of the negative side of rationalisation while keeping the positive one. The bright free future will see the colonisation of the system (instrumental reason) by the lifeworld (communicative reason). While this argument is based on a dubious and implausible dialectic, it is also not clear whether communicative liberation will require solving the problem of power and differential distribution of resources. Habermas is very unclear on this point, arguing on the one hand that communicative rationality can only operate in the environment free of material constraints, but on the other presenting communicative rationality as a way of reaching practical agreements in the situations of conflicts of interests. Where there is an environment free of material constraints there is also no need for communicative rationality. Other theorists prefer to avoid the straight answer, hoping instead that the meaning-oriented action adopted by the new

movements will somehow solve the problem of a conflict of material interests. While Marxist intellectuals had the theory to inform practice, assuming leading roles in the movements, the new social movement scholars prefer to be led by movements: this time it is practice which informs theory. Movements are both the new knowledge and the new historical subjects. The future is a practical not a theoretical project. Theory ends with criticism: beyond lies the sphere of radical action.

In a marked contrast both to Marxist intellectuals and the resource mobilization scholars, who both share an epistemically superior attitude to the movements (that enables them to explain activism and, if need be, advise activists), European theorists set out to learn from the objects of their investigation. They are not in the movements to disseminate the already-known truth about the course of history, but to engage in a dialogue with actors and encourage self-analysis of the action, both of which can illuminate the nature of the new conflicts and, by implication, the course of history (Touraine 1981, Melucci 1988). What they share with Marxist scholars is the unquestioned intrinsic value they ascribe to social movements. Collective action, when it is permanently placed within the dimension of history, is as much celebrated as it is theorised. Movements are wholeheartedly welcomed as radical projects of modernity. As Touraine (1981, 148) points out, '[i]t must be stated quite openly that the purpose of this research work is to *contribute to the development of social movements*'. Read: we do not want history to fail, that is history of emancipation. The task of a theorist is thus twofold: to learn from and to help movements in their struggles. All in all, the theory that is offered is a kind of practical theory meant to illuminate the path for practical action. The problem with this kind of theory, as we have seen in the Marxist example, is that practical failures of action do not undermine the validity of the theory, at least for those theorists themselves; because, ultimately, such a theory is validated not by its explanatory success but by the need for radical action, i.e. practical success.

I have tried to demonstrate that the new mobilizations have been explained with reference to oppression, where oppression has been predominantly located in the process of rationalisation; although relations of production and appropriation of

resources, as a traditionally Marxist locus of oppression, have not been quite dismissed. Arguably they remain a legacy of the earlier class explanations of the new movements. It is only recently that many scholars have moved from class-based to rationalisation-influenced explanations. The most important implication of this move has been the dismissal of the concept of class action. Those who once argued that new social movements were the new class movements have changed their views quite radically later in their careers. In a complete reversal of what he professed earlier, Touraine now declares that '[t]he idea of a social movement ... is radically different to the idea of class struggle' (1995a, 370). The role of class as a historical Subject in his analysis has been taken over by individuals. Similarly, Melucci has 'gradually abandoned the concept of class relationships to address the question of systemic conflicts' (1995, 117). He now considers class to be 'a *temporary* tool aiding in the analysis of systemic conflicts and forms of domination in complex society' (1996, 233-4, italics mine).

Their determination 'to avoid any confusion with Marxist thought' (Touraine 1995a, 240) is not surprising given their earlier Marxist affiliations, yet it is also for that same reason rather difficult to avoid. However far they may have departed from Marxism, they have not come close enough to the functionalist (structural breakdown) and instrumental (mobilization of means for ends) accounts of collective action. Even their accounts of systemic conflicts are closer to Marx than to Weber who was the source of influence for the rationalisation model. Most importantly, their commitment to the oppression thesis and their determination to unearth the emancipatory potential in modernity betrays Marxist influences.

Other scholars have been more cautious of grand theoretical schemes, be they based on class or rationalisation models, which at once explain the causes of oppression and locate the sources of emancipation. They have displayed a more empirically oriented attitude, and have been much more restrained in their findings. However, interestingly enough, the argument they propose is a sort of parallel development to the one described above. It reiterates some of the points made by 'oppression theorists' in a less fancy and more down-to-earth manner. While oppression theories



present new social movements as symbolic struggles and communicative practices, the alternative theorists describe them as 'moral protest' (Pakulski 1991, 1995; Rootes, 1980, 1995). Whereas symbolic struggles defend communicative (understanding-based) rationality, moral protest is about the defence of principles and values of an equally consensual nature. The values being defended are described as 'good society and dignified life' (Pakulski 1995, 76), 'consensual social relations' (Eder 1995, 38) and more broadly as 'postmaterialist concerns' (Inglehart 1977, 1990) and 'moral issues' (Parkin 1968, 40).

They also like to separate old mobilizations from new ones, seeing the former as an example of 'instrumental politics', and the latter as 'expressive politics' (Parkin 1968, 34). Those engaged in instrumental politics defend their interests, which require that they seek power. By contrast, groups engaged in expressive politics are even ready to relinquish power in order to defend principles they hold dear (Parkin 1968, 34). All along, theorists of the European school of thought have assumed that interests are the mobilizing force behind movements and that protest is interest-motivated. Now they qualify this by saying that only some movements are interest-motivated, while others are motivated by values. There seems to be a division of protest labour between groups who are materialists and others who are moralists. Some scholars attribute material aspirations to working classes and moral motivations to the middle classes, or rather new middle classes (Parkin 1968; Eder 1993, 1995). Others replace class with the concept of occupational-educational strata suggesting that 'moralists' concentrate among highly educated, creative and welfare professionals (Rootes 1995). Still others believe that the dividing line between materially and morally oriented protesters is the line separating pre- and post-war generations (Inglehart 1977, 1990; Pakulski 1991, 1995).

Interests, as motivations for protest, have been rather narrowly defined in the Marxist tradition: as needs originating in specific structural locations. Interests are products of the social position of a group vis-à-vis other groups. Issues that mobilize new movements cannot be described as interests in the above sense. Therefore, scholars conclude, they cannot be motivated by interests. The only alternative when interest

motivation is ruled out is to be motivated by values. Thus, the new movements are pronounced to be value-oriented movements. Values are understood as human rather than social needs: those needs which are common to all structural positions. Because they cannot be reduced to specific structural locations yet still have to be socially located, they are believed to be rooted in society's morality. This is how the new social movements become moral (value) mobilizations, and interests get separated from values and from the new social movements. While interests stand for needs that set people apart, values emerge as needs that bring them together, i.e. universal inclusive human concerns. Some social groups (new middle classes or some generations) seem to be more fit than the other to express those universal human moral concerns. This time, however, contrary to the Marxist argument, the interests of mankind are expressed not by the working classes but by the social groups that differ from the working classes insofar as they are said to be free from material constraints, liberated through wealth and/or knowledge.

Drawing such a sharp distinction between interests and values is hardly justifiable. It does not seem plausible that some social groups (the working classes) are motivated by interests while others (the middle classes) are mobilized by values. One of the discomfiting implications of such an assumption would be that the working classes have no values and the middle classes have no interests. There is also a problem of the link between values and interests: do interests determine values or values shape interests? Nor do value explanations fit in with all the new social movements: for example women's movements can hardly be described as value- rather than interest-motivated. Furthermore, what is referred to as values is in fact described as interests, but of mankind in general. Likewise, one can define interests as values of a specific social group.

There are two varieties of the value politics argument. The dividing line between them is the issue of class. According to one, value politics are consistent with class politics. The middle classes are moving towards the centre of a new class relationship in the making which will be characteristic of an industrial society in which cultural production takes the role of economic production. The new social

movements are formative experiences of the new class (Eder 1993, 1995). The so-called 'good life' is a peculiarly middle-class concern by virtue of the changing nature of production and appropriation, but also because progressive classes have always been moral actors expressing universal interests. The other variety of value politics argument is explicitly non-class based. Nothing better reveals the inadequacy of Marxist class action theory than the fact that value mobilizations are not class mobilizations (Pakulski 1991, 1995; Rootes 1980, 1995). Class is far too crude a concept to explain current mobilizations. What we are witnessing are non-class mobilizations. Social groups, which cannot be described as classes, affirm their values through collective protest action. The expressive value of action by far exceeds its instrumental benefits: mobilization is seen as a way to manifest group integrity as much as to secure specific policy results that would benefit the group in question.

## **Protest as structure and action**

I have described three approaches to the study of protest. Each is based on a different set of assumptions about the nature of social reality, or a different image of social order. Underlying the collective behaviour theory is a functionalist view of reality. Where order is an integrated system, protest can only be a statement of breakdown and disintegration, as well as a desperate attempt to reconstruct the integrity of the system. The projection of the breakdown theory of protest onto a micro-level is a theory of overcoming frustration. Protest appears as a primarily expressive action driven by discontent, or more precisely disorientation. The paradigm informing the resource mobilization theory is instrumentalism. This is an action-oriented view of order, in which structure plays a secondary role as a repository of resources and as the sphere of application of action. Protest is a rational-choice action in pursuit of the actor's interests. Action is directional rather than expressive as in the previous case. The meaning of protest is goal attainment. Finally, the new social movement approach is based on the structuralist view of order. The structure is represented as a set of conflicting relations rather than a coherence of functions. Order is conflict, and protest is a product of conflict (and therefore essential to order). At the microlevel



the conflict theory of order is translated into an image of action which is neither expressive, nor directional. Instead action has a counter impulse: it is directed against oppression. Thus, protest equals challenge and ultimately emancipation.

What unites all of the three approaches is that they choose action as the unit of analysis. They are theories of action, albeit collective protest action. The only way of theorising action is by theorising structure. Once they have posited action they have to also posit the environment of action, or structure. One presupposes the other. Thus, theories of protest, which are theories of action, are also by implication theories of structure<sup>5</sup>. Structure is where action originates: a source of discontent and grievances (e.g. collective behaviour and new social movement theories). Structure is also where action takes place and what it attempts to modify: the environment of resources and opportunities and the goal of action (e.g. the resource mobilization theory). Protest action is seen as a product in equal measure of the structure (causes, resources and opportunities) and of the agency (efforts to organize and mobilize).

Protest is both an instance of (collective) action and a manifestation of (social) structure. As action, it is stretched in time: it emerges, unfolds and reaches or fails to reach its aim, all in due time. This defines what is to be studied about protest: the origin, development and outcomes of action. As a manifestation of the structure, protest is an expression of either structural pathology or structural change, depending whether one chooses the functionalist or structuralist perspective. Structure is conceived in terms of space, while action embodies the temporal dimension. Structure is changeable but is also permanent: it is always there, unlike protest, which is emergent and relatively short-lived. To study protest as structure one has to look at the sources of order and disorder.

Most contemporary sociological theorising is located alongside the axis marked by those two fundamental categories: system and agency, or structure and action. One of the biggest sociological undertakings has been to unite structure and action: to explain structure through and as action, and action through and as structure. This task

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<sup>5</sup> See, for example, Klandermans, Kriesi and Tarrow (1988).

is far from completion and, as some commentators have observed, cannot be completed. Any attempt to explain social reality as a duality where structure is action and action is structure results in admissions that in some situations structure is not action and action is not structure (Holmwood & Stewart 1991, 133). The way to solve the problem is to revise the categories. This is what I shall attempt in the next chapter.

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## **Protest: Strategic or Normative Interaction?**

### **The missing other of protest**

The three major perspectives on social movements discussed in the previous chapter, the collective behaviour school, the resource mobilization theory and the new social movement approach, describe protest respectively as frustration, mobilization and emancipation. However, all three regard social movements as instances of action. This is the point where those different perspectives converge. Definitions of social movements produced within the discipline over many years demonstrate this most clearly. Most of them employ the category of either action (action, activity, effort, attempt, project) or actor (collectivity, network, organization, collective identity, set of beliefs and opinions) to characterise protest. A notable exception to this rule has been Charles Tilly who, although sharing the concept of social movement as collective action (1978), also defines it as a set of interactions between challengers and opponents (1984, 306)<sup>1</sup>. Where most scholars see just one actor, he identifies two actors engaged in a specific type of interaction known as the opposite of cooperation, i.e. conflict. It is true that some other scholars, especially of the European school, have defined movements as manifestations of conflict, notably Melucci and Touraine. Their main weakness, however, is that they see conflict in structural terms: as an attribute of the structure, not a set of inter-actions. They have theories of conflict (which are theories of structure) and, separately, theories of social movements (which are theories of action).

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<sup>1</sup> See also others influenced by Tilly, e.g. Tarrow (1994, 3-4), who produced a very similar definition.

That protest is an instance of interaction as well as action is hardly disputable. Any observer of protest in action (to say nothing about participants) cannot fail to notice the presence of the other, whom protesters interact with and in relation to whom they define themselves. It is all the more interesting, therefore, to explain why the sociologists of protest choose to routinely ignore this rather obvious feature of protest, proposing action theories for what is in fact interaction. It is true that they cannot really neglect the interactive aspect of protest: the other is too conspicuously present in the actual space of protest action. But the conceptual apparatus on which the theories rely makes it difficult to incorporate the other into theories of protest, which is the main reason why they end up producing theories of action rather than interaction. The problem lies with the sociological categories of structure and action, which organize nearly every inquiry into protest. The categories are exhaustive: there is no ground that they do not cover in combination. If something does not fall under the heading of 'action', then it belongs in the class of 'structure' and vice-versa. The categories organize the world by dividing it into two mutually-exclusive realms which require one another. This precisely is the source of the problem: though exhaustive, the categories are also deficient in their completeness.

The concept of action presupposes a plurality: actions (of other actors). However, there is no way of dealing with action in the plural within the structure-action scheme. There is only really place for one action, or actor, even if that is a collectivity. The reason for this is that any combination of more than one actor is pregnant with structure. There is only place for one protagonist in the structure and action story. The rest is the setting. Other actions (actors) upset the harmony of the structure-action framework: they are excessive and therefore have to be subsumed under one of the two available categories, structure or action. For example, in the case of protest, the allies' action is likely to be considered part of (protesters') action, while the opponents' action will be treated as part of the structure. Ironically, a perspective that chooses action as its starting point ends up missing out other actions by reducing them to *the* action or its context, structure. The action's other turns out not to be other actions but, very often, other than action, or structure.

The terminology adds to the confusion. Both terms currently accepted within the field, collective action and social movement, reinforce the image of action while downplaying the interactive element<sup>2</sup>. Collective action is a thoroughly misleading term. Any effort undertaken by a collectivity of individuals is a collective action: it stretches from affirmative displays of social solidarity (such as rituals) to subversive actions (such as protest). The term, thus, implies more than its actual usage suggests. The term 'social movement' also suggests action, but has structural connotations as well. It refers both to a movement of history, i.e. historical change, and people's actions to bring that about. The term that does invoke interaction is also one which is hardly used and, more importantly, has no theoretical connections. The term 'protest' implies 'conflict', which implies 'interaction', which implies 'the other'. But it has not been incorporated into the conceptual language of the discipline, unlike 'social movements' and 'collective action'. Apart from its interactive connotations, the term has other advantages. The word 'protest' covers a wider ground than both 'social movement' and 'collective action'. Protest can take the form of a social movement but cannot be reduced to it. There is individual as well as collective protest. Collective protest can be undertaken both by the established collective actors (e.g. political parties) and the emergent temporary collective actors (e.g. social movements). Forms of protest vary from routine and conventional, such as complaints, to unconventional and disruptive, such as civil disobedience campaigns.

The analytical framework adopted by the scholars of protest appears to be restrictive: the choice is between action and structure. The other of action cannot be accounted for within the framework as an actor in its own right. Thus, where there is action, there are, surprisingly, no other actions, only structure. The presence of action reveals the presence of structure and not, as it should be, the presence of other actions. The existing theories of protest are, with few exceptions, theories of collective action. However, interaction shows itself even through the action models of protest. It is rather hard to get rid of the other, although it may be equally hard to

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<sup>2</sup> The term 'collective behaviour' has long gone out of use following the decline of the collective behaviour perspective.



theorise the other's presence. The latter may not be acknowledged in the explanatory categories, but it can still be felt.

According to the instrumental model of action adopted by social movement theories, action must have a goal. Indeed, the goal, or orientation of action has been considered so important that it is commonly included in the definitions of social movements. Most of the definitions describe the goal of movements as some form of social change, a more or less lasting impact on society. (It is true that this kind of definition fails to distinguish protest from many other social actions, but this is another matter.) Yet social change almost always in the case of protest implies others' actions, whether it is policy measures taken by governments, or shifts in the behaviour of larger populations. Indeed, there would be little point in taking the trouble if the goal were merely to change one's own actions. So, the orientation to change is fundamentally an orientation to others' actions. Collective action seeks to achieve change by modifying the other's actions. Thus, the outcome of protest action is not entirely the protesters' own accomplishment: it requires that other actors take action. The product of collective (protest) action is also the product of other actors' actions. In other words, it is a product of interaction. Yet, the existing theories of protest employing action rather than interaction framework, tend to obscure this fact. They perceive the outcome to be the achievement of protest itself. Hence, it is described as social change, which is a state of things (structural configuration) different from the previous state of things. Thus, the outcome of protest is defined in relation to protesters' action, not other actors' actions.

The same criticism applies to the treatment of the origin of collective action. Protest is seen as a product of structure (new social movement approach) or agency (resource mobilization theory), but rarely if ever of other action (the other's actions). Collective action is presented as a result of a combination of discontented public (collective actor) and facilitating conditions (resources cum opportunities)<sup>3</sup>.

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<sup>3</sup> After so many years of research and thinking, we still know surprisingly little about what causes protest. Structural disturbances, individual frustrations, social contagion, fast pace of social change, feelings of relative deprivation, antagonistic class relations, or deep-held values? All of the above answers can be summed up in a folk sociological wisdom: where there is discontent protest is likely to follow. Recently, following the rise to prominence of the resource mobilization theory, the interest in





Discontent is understood as a subjective feeling that overcomes actors, and not as a specific relationship with the other actor. At the same time, however, most scholars grant that the passage from discontent to action lies through cultural interpretations, such as 'moral ideas about right and wrong, justice and injustice' (Oberschall 1973, 35). Interpretations are judgements about who is to blame for the grievances experienced by actors. Action can only be other-directed (which it is, as shown in the previous paragraph), if the other (not oneself) is held responsible for one's misfortunes. Moral ideas about right and wrong are ideas that regulate relationships with other actors. Once again, the other actor makes a brief, and alas inconsequential, appearance in theoretical discussions of protest, without significantly disturbing the action framework. The qualification, that feelings of discontent are mediated by cultural meanings, has been added to introduce a more sociological perspective on actor, which sees the latter as not only a psychological being, but a product of its social environment. It may have been inspired by symbolic interactionism, but it has nonetheless failed to register the presence of the other actor. In spite of the recent emphasis on meanings, theories of protest continue to treat action as a product of actor and structure, and not an interactive relationship. Action has not become the product of other actions.

In spite of all the indications that the other actor does play a significant role both where the rise and success of collective action are concerned, this concept remains missing from the theoretical accounts of protest. The familiar structure and agency paradigm does not do justice to the social reality it attempts to capture. Given that it has proved unsuccessful at the level of general social theory, it is unreasonable to expect it to be useful when trying to create a theory of a particular social reality, i.e. protest. Any attempt to apply the framework creates problems that cannot be resolved within it. Whenever either the origin or outcome of collective action is explained with the help of the categories that can ultimately be reduced to structure and action, the result is an incomplete account which resembles Weber's ideal types: it seems to work in some cases but fails in others. Thus, the adequacy of the

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the origin of protest has dropped to almost zero. Scholars prefer to concern themselves with conditions facilitating protest rather than its 'causes' (even to use the word is enough to arouse suspicion).

constructed explanation remains problematic. We have a theory arguing that success of protest is a function of agency (mobilization) and structure (opportunities), but we are still lacking a recipe specifying how those ingredients combine together to produce success. We have a wealth of theories explaining the origin of protest either with reference to the structure or agency, yet none of those theories can explain their own failure (i.e. the absence of protest in conditions where it should be there) by using their original categories.

In the light of the above considerations it seems imperative that the other of protest should be brought back in, or rather its presence should be acknowledged in theoretical terms and not reduced, as it presently is, to either structure or action. I believe that to view protest as a case of (collective) *action* is to misconstrue the reality which is (the reality of) interaction. To repair this it is not enough to replace an action theory of interaction with an 'interactionist theory of action' along the lines of the symbolic interactionist school (see Strauss 1993). Rather, one has to abandon the tradition of thinking which views protest as action: protest must be understood as interaction<sup>4</sup>. It cannot be separated from the actions of other actors, which are both the target of protesters' action, and for which protesters' action itself is a target. Only a theory of interaction can register the fact that protest appears in response to and aims at the other's action. Interaction itself is part of a more lasting bond between two or more actors, i.e. part of a *relationship*. Therefore, to bring the other into a theory of protest is to posit a relationship. It is not enough merely to acknowledge the other's presence: one needs to connect the other actors to protesters in a meaningful relationship.

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<sup>4</sup> Perhaps I need to distance myself from what is commonly known as the interactionist perspective, or school, associated with the names such as Mead, Blumer, Goffman, Becker, Strauss and others. Neither my theoretical framework, nor methodology is derived directly from symbolic interactionism. What I share with the school is the emphasis on meanings and their role in shaping human action. But this is so broad a premise that even Parsons can qualify as an interactionist. It should be clear from the rest of the thesis why I do not consider myself working in the interactionist tradition.

## **Social theory: a zero-sum vision of society**

A theory of protest must accommodate not only protesters but also those they protest against, as well as those who do not belong in either camp. So far this has not been done. Scholars of protest have been paying little attention to relationships that make protest. As I have argued earlier in this chapter, the structure-action framework has significantly restricted the lines of inquiry into protest. Recently the two main directions of theorising have been theories of collective action (resource mobilization approach) on the one hand, and theories of social change through collective action (new social movement perspective) on the other. We have either theories of the inception and development of collective action, or theories of action which are also theories of social change. The former can theorise action developments, the latter - transformations in the structure. What they are not equipped to *theorise* is interaction, or relationship between protesters and other actors.

Yet it would be wrong to say that scholars of protest *disregard* the fact that protest involves interaction. On the contrary, they are very aware of the influence that other actors exercise on protest action. But their awareness takes the form of assumptions they need to make in order to erect the edifice of their theories of action, and does not lead to a theory of interaction per se. What they perceive as interaction, they proceed to describe in reductionist terms forced upon them by their preferred explanatory framework of structure/action. What emerges is a split between theories of (collective) action and the understanding underlying it, that collective action exists in the environment of other actions, i.e. forms part of interaction. While they cannot disregard the interactive nature of protest, they cannot theorise it either, bound by the framework they employ. Since these are the assumptions that provide the groundwork for the theories of action, they cannot themselves be theorised; or at least, not within the same theory. For the most part, assumptions about the nature of interaction between protesters and other actors remain unarticulated, which makes it difficult to question their validity. In the remainder of this section I shall articulate those assumptions and assess their validity.

My main thesis shall be that theories of protest are premised on a zero-sum vision of social interaction that takes place between protesters and their opponent. An understanding shared by many a scholar of protest is that the relationship of which protesters form a part can best be described as confrontation and opposition. In other words, protest is understood to be a conflict. This is true of the resource mobilization scholars as well as of their European colleagues within the new social movement school. For a confirmation one has to look at the definitions of social movements. As I have commented earlier, most of them define movement as *action* ('effort, activity, attempt') and further specify the goal of action as social *change*. Apart from those two elements, there is a third recurrent element, which pertains to the character of the relationship between protesters and the other. Expressed in such words as 'conflict', 'struggle', 'resistance', 'anti-' and 'against', this can be summarised as action in *opposition* to other actions. Thus, definitions themselves often indicate the assumptions made about interaction that takes place between protesters and the other. Furthermore, the character of the relationship is indicated in terms describing the actor. Protesters are often referred to as 'challengers', and the others as their 'adversary', or 'power-holders'. Once again, this suggests a relationship where one party appears to be in disagreement with the other and both oppose each other's efforts to advance their interests. It is a relationship of conflict.

To describe protest as conflict is to reject other possibilities how the relationship between protesters and their opponent can be described, which may be just as plausible. For example, protesters and those they protest against could be referred to as partners, which they often are in negotiations with authorities or businesses. This would suggest a less antagonistic relationship between interests of the parties to the interaction. It would indicate some shared understandings and a possibility of agreement. However, the prevailing understanding within sociology is that protesters and their other are somewhat reluctant partners, that their partnership is a transient and insignificant stage in an otherwise antagonistic relationship. Thus, conflict rather than partnership is how social scientists tend to view the relationship between protesters and their other. I shall call this a strategic model of interaction. The latter is linked and indeed necessitated by the instrumental model of action that most



theories of social movements employ. I shall argue that a strategic model of interaction is contained as a possibility in the instrumental model of action.

Perhaps because it seems so obvious that protest is a conflict, few commentators have sought further justifications for choosing such an interpretation. Moreover, actors' own understandings of their relationship with the other seem to confirm the view that protest is indeed a conflict. Protesters are more likely to see their relationship with the other as a struggle rather than a partnership. The 'evidence' in support of the conflict view seems compelling. Yet it is not reliable: some actors' understandings have been shaped to a certain extent by the theories of protest, which view the world in terms of conflict<sup>5</sup>. Thus, theories themselves appear to be partially responsible for the existence of evidence they draw upon to support their claims. It may seem that they follow intuition and common sense when they describe protest as conflict, yet what passes for intuition here is, in fact, a long tradition of social theorising that assigns the primary importance to conflict in social life. The tradition embraces thinkers as different as Thomas Hobbes and Karl Marx and stretches from the 18<sup>th</sup> century to the present day.

The idea of conflict has been a formative influence on social theory. Although primarily associated with Marxism and related perspectives on social order, it is by no means restricted to them. Structural-functionalist and liberal theories are also premised on the existence of conflict. Hobbes (1946, 80-84) famously postulated conflict as the original social condition. It is to that original *conflict* that we owe the concept of order as social *contract* and cooperation. Because the state of nature is a 'war of all against all', society can only emerge as a system that can contain and confine conflict. In other words, society must be a system of power. This is even more obvious in Marxist visions of social order, where order is a suppression of class conflict. Even functionalist theories of social order as normative integration consider conflict paramount when they grant that normative commitments of individuals must be reinforced with sanctions to make cooperation and lasting society possible. Thus,

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<sup>5</sup> I mean here the Marxist tradition of social theorizing in particular, which is hard, if at all possible, to separate from the practice of protest.



cooperation is a product of power and by definition not an entirely free choice. Conflict dictates the terms of order. The sociological image of society is that of a successfully contained conflict<sup>6</sup>.

Conflict is attributed to the diversity of interests among social actors. Sociologists routinely assume that interests divide individuals and whole social groups. The diversity of interests is explained either with reference to the structure (interests are properties of specific social-structural positions), or without such a reference (in which case interests are manifestations of subjectivity, or expressions of free will). Thus, conflict is a clash of interests: 'what is in my interest is not in yours', and vice-versa. No lasting relationship can possibly emerge between two parties whose interests are thus opposed. Yet enduring relationships do spring up from connection through opposite interests. It is the very division of interests between two parties that can also unite them<sup>7</sup>. One possibility is a unity via coercion. 'It is in my interest to make you sacrifice yours. And as I know you will not agree to this willingly, I will have to force you into agreement.' Substitute 'force' with 'buy' in the previous sentence, and instead of coercion we will have persuasion. The relationship between two actors rests on the original opposition of interests which is temporarily overcome by an introduction of another layer of understanding which cancels out the previous understanding: that it is in one's interest to keep the relationship which is against one's interest. The original opposition of interests produces a binding relationship which can last and which also is interest-based (only this time interests draw the parties together rather than apart). This is how social order emerges. This is why, also, social order is a system of power.

It is possible to demonstrate that even those theories which view order as a system of normative integration (i.e. agreement) have to construct it as coercion, because no system of norms can operate without sanctions, and the use of sanctions reveals the inherent lack of integration. What is normative integration is not interest integration

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<sup>6</sup> See also Luhmann's observations on the endorsement by sociology of the first decades of the century of conflict as a universal and self-evident feature of social life (Luhmann 1995, 388).

<sup>7</sup> Simmel (1955) was the first to see conflict as a unifying binding force. Similar views have been since expressed by Coser (1956).

at the first level of understanding. But, as in the case of domination (the opposite of normative agreement), at a secondary level only, where the original lack of interest integration is overcome by an operation of power which this time takes a normative form. Even systems of order considered legitimate and based on some form of tacit or declared social contract, where order is believed to be a negotiated common interest, have to resort to norms/sanctions (i.e. a form of coercion) to contain the original and therefore ever-possible conflict. Sociality, according to social theory, seems to be intrinsically problematic, which is why order can only exist in the form of power, as a collective force capable of containing conflict.

Interests that cause conflict and make society problematic are considered to be primary attributes of individual and collective subjectivity, whether or not they originate in the structure. Subjectivity manifests itself in action oriented towards realisation of interests, or, to use Habermas' term, success. It is precisely this capacity of interests to construct (affirm) subjectivity through action that makes society problematic. Subjectivity understood as interests emerges as the enemy of sociality. A capacity to pursue interests is also an anti-social capacity to engage in conflict with others who pursue their interests, which are opposite to one's own and therefore are an obstacle on one's way to success. Conflict appears to be a zero-sum game. My victory is a negation of yours, and vice-versa. Such a set up does not entail that the outcome of a conflict will be also a zero sum. Often it is other than zero, for example cooperation, and that can only mean that somewhere in the course of what originally was a zero-sum game the players have revised their prior action orientations, so that an initially conflictual interaction could give way to cooperation.

Underlying a conflict view of society is a Weberian view of action, where action is understood to be goal-oriented. But goals are understood rather narrowly as actors' interests<sup>8</sup>. Thereby social scientists assume that it is rational that actors would act to satisfy their interests. However, this concept of rationality exceeds the limits of the Weberian model of instrumental rationality. Nothing in Weber's concept of

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<sup>8</sup> This is true of protest action as well. Here the goal is defined both in action terms as the actor's interest, and structural terms as social change. Action which is inwardly motivated is also outwardly oriented.

purposive-rational action suggests that goal of action should be the actor's interest. Such a concept owes more to Darwin and Freud than to Weber. Goals are beyond the limits of instrumental rationality. Rather, they are given, and given in the actor who translates values of society into their own goals. Instrumental action starts where goals are already formulated, but the formulation of the goals is not itself part of the instrumental goal-oriented action. Goals belong in the sphere of Weber's value rationality. Why then is it that goal-oriented (instrumental) action has come to be associated so closely with action oriented towards self-interest, to the extent that even those who challenge the consequences of such an association endorse the association itself (e.g., Habermas's theory of communicative action, Habermas 1984, 1987)? Although nothing in Weber's model precludes an interpretation that goal-oriented action is oriented towards others' interests rather than one's own, this possibility is systematically ignored<sup>9</sup>.

It is the instrumental view of action that confuses goal with interest that necessitates social conflict. Habermas acknowledges this when he describes instrumental (goal-oriented) and strategic (conflictual) action as belonging to the same action type (Habermas 1984, 85-86). In considering strategic action to be a subtype of teleological action, he follows the sociological tradition which derives strategic action from instrumental one, and which conceives of instrumental action as interest-oriented action. Hence, whenever an actor finds himself pursuing goals (interests) in a social environment, that is among other actors like himself, he can only regard others in the available instrumental scheme, i.e. to the extent that they contribute or obstruct his goal-attaining efforts. There appears to be no distinction between instrumental action and strategic action: instrumental action takes the form of strategic action whenever actors act in a social environment. This means that the only way to relate to other actors which occurs to them is to treat other actors instrumentally, i.e. to take into account and/or modify others' actions if success (the goal) requires it.

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<sup>9</sup> It seems that rational choice theories have a solid foundation in the sociological tradition, in spite of the prevalent opinion to the contrary, arguing that any apparently social orientation of action can be effectively reduced to actor's own interest. After all, socialization theories offer a very similar argument: social priorities have to be internalized as individual action orientations. The accepted view of action too seems to be in line with the rational choice model.

Little social solidarity can emerge from an attitude that prescribes collision (when avoidance fails to work) as the main strategy towards the other. Indeed, social conflict seems inescapable. Any social interaction is highly likely to end up as a struggle for power where one party seeks the destruction of the other: my success not only excludes yours, but is conditional on your loss. And that will be the case as long as both of us are oriented purely to our own successes. Since this attitude is unlikely to produce a lasting society, social theories have come up with more society-friendly models of action, which are all models of compliance to superior power (even if this power is normative and originates in collective agreement). Thus, the impasse in which sociologists have found themselves is of their own making. Having described society as intrinsically problematic, they proceed to offer models of integration that will supersede the original conflict of interest. Habermas described two such models: normative and communicative integration<sup>10</sup>. Yet neither of them denies the truth of the instrumental/strategic model of action. Hence the premises on which they are built are wrong, which is why they can only offer a deficient solution to the problem of integration.

What is true of general social theory is also true of protest theory. Here too the dominant model of collective action is instrumental goal-oriented action, which is also inseparable from conflict. An instrumental model of action where goals are assumed to be actors' interests contains a strategic model of interaction. Thus, the problems of general social theory are being reproduced by theories of protest, which I shall try to demonstrate below.

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<sup>10</sup> According to the traditional, normatively regulated model of action, individual success impulses can be restrained by normative prescriptions imposed by society. A normatively regulated action is a restrained success-oriented action. Apart from success, it is oriented to society's judgement (expressed in social norms) about the propriety of success orientation. The other model is a communicative model of action. Here, action is oriented to understanding rather than success. Like normatively regulated action, it does not dispose of success orientation entirely. Understanding is not opposite to either party's success. Instead it means that both actors endorse the other's orientation to success alongside their own success. Effectively, what emerges is action oriented (at least partly) to the success of the other.



## **Resource mobilization: the strategic paradigm of protest**

It was the resource mobilization theory that first conceived of protest as goal-oriented action. Before that protest was considered to be primarily a *product* of micro and macro processes, such as individual perceptions of deprivation (Gurr 1970), group dynamics (Park 1967, Blumer 1995), structural strain (Smelser 1962), or the atomisation of individuals in mass society (Kornhauser 1960). Though the causes were often structural, they were translated at the micro level into a specific sentiment ultimately responsible for the production of action. It was an individual or collective feeling of discontent (or anxiety, stress, frustration). Protest was a driven action, fuelled by discontent. It was a product of certain social conditions. To study protest was to study the conditions that gave rise to it. The resource mobilization school has changed this. By pronouncing grievances irrelevant to the explanation of protest it disconnected protest from the past and connected it to the future. Protest has itself become a condition, a condition of success. What gave rise to it has become less important than what it could give rise to.

Thus, it was within the resource mobilization school that the new way of looking at protest has begun to take shape. Protest has become a rational goal-oriented action, a means to an end, something that causes rather than is caused. The reasons to protest were no longer reasons to be aggrieved (therefore expressing a wish for a change in one's conditions), but instead reasons to expect to be successful in trying to bring that change about. The image of protest as a reaction to specific circumstances has been replaced by an image of a planned and organized effort to change those circumstances. Hence, the concept of mobilization, which is central to the approach. The effort to achieve this goal (and secure change) consists in mobilizing resources, opportunities, and more recently meanings (see Klandermans 1992). This is how the theory describes collective action. Collective action is a product of an effort that contains a possibility of success. Mobilization is instrumental to success, but though it is a prerequisite it is not in itself sufficient condition of success. Protesters may succeed in sustaining their efforts to bring about change, but that in itself does not guarantee that the goal will be achieved and change effected.



Thus, goal-attainment (success) remains problematic even though resources and opportunities have been mobilized to achieve it. Collective (protest) action might just as well fail to effect the change it seeks to. But then, if success is problematic in spite of mobilization, then it does not really depend on mobilization. It is not a product of action but of something beyond it. If it is not entirely arbitrary (a matter of probability alone), then one should be able to establish what, apart from active efforts, contributes to success. Success is an outcome of action to the extent that we understand it as a goal achieved. But at the same time it is not an outcome of action, or at any rate action alone, since a goal achieved is also dependant on others' action. Collective action is an effort to effect action of the other, although we more commonly construe it as a goal or effect of the ego's action (see, for example, Gamson 1975). The product of action is the other's action, albeit a specific kind of it, the kind that agrees with the wishes of the first actor. Thus, success is a welcome response, or reaction of the other to our own action. In the end, it is agreement, which we secure with the other.

It also presupposes the overcoming of a disagreement between oneself and the other: there would be no need for mobilization and action had there been agreement between the two parties from the start. The overcoming of disagreement involves a change of will on the part of the other, or indeed oneself, from what it used to be. To the extent that success (and in equal measure failure) of action arises from overcoming a disagreement with agreement, it appears to be a product of interaction as well as two separate (though related) actions that comprise it. All of the above considerations make explaining the other's motives essential for accounting for the success (or failure) of collective (protest) action. In fact, we can reformulate collective action as an attempt to influence the other's motives, because this is what is involved in finding agreement with the other. But to influence the other's motives is to communicate meanings that would contribute to the other's reasons to act one way or another. If we grant rationality to protesters we should also grant it to their opponents: like protesters they will act only when they have reasons to expect to be successful in imposing their version of agreement on the other.

Yet, when we have resource mobilization scholars explaining movement success, there is no reference to the other's reasons, or motives. Instead we find ourselves in a familiar structure-action environment, where the other actors and their motives appear in the guise of structure. Success is not only defined in action terms as a goal attained, but also in structural terms as an impact of action on the structure, or system response (see discussion in Burstein, Einwohner, and Hollander 1995, 282-3). Yet there is no system response that is not also the other actors' response. The concept of the political opportunity structure demonstrates it most clearly. According to the resource mobilization theory, the success of action depends on the structure of opportunities. The concept of opportunities implies occasional 'openings' in the structure which facilitate (or impede) success of action. They have to be occasional to have explanatory value as a concept: if opportunities were always there, they would not have any bearing on the success or failure of protest. However, the concept of opportunities pertains to agency as well as structure. The word refers to the meanings held by actors, which connect the action's structural environment with a probability of success. Opportunities are actors' perceptions of the likelihood of success or failure of their action. Actors would only act when they perceive that they have opportunities to achieve their goal, i.e. succeed. On the contrary, the absence of opportunities makes protest a futile and therefore irrational exercise.

When it comes to describing a political opportunity structure, we learn that the latter consists of the likely moves of other actors, for instance whether the latter would choose to support or oppose protesters. Thus, it is action preferences of other actors in response to protest action that scholars refer to as opportunities. It is those action preferences that determine the success of protest action. Scholars speak of response, or the responsiveness of the system, both to designate the outcome of action and what it depends upon. However, *system*, in both cases, is the word for other actors and their actions. It is the moves of other actors that constitute both the structure of political opportunities and the success or failure of protest action. It is not illuminating to be told that opportunities determine whether the movement succeeds or fails, as this creates a circular explanation. All one learns is that other's response (success) depends on others' responsiveness (opportunities). Having defined success

as a positive response of the system to a movement, we proceed to explain it by the system's general tendency to respond positively (i.e. political opportunity structure). One would like to know more than that about why the moves of other actors matter for the action's success or failure, or indeed why they make the moves they do.

The achievement of the resource mobilization theory has been to link the emergence of action to its success prospects, and the latter to resources and opportunities. Success is considered to be a product of action (mobilization of resources and evaluation of opportunities) plus structure (the availability of resources and opportunities). Both resources and opportunities belong to the instrumental model of action. Resources are means to the action's end, while opportunities indicate how conducive the situation is for the action's success. Hence, it is necessary (and rational) to mobilize resources and evaluate opportunities if one hopes to achieve one's goal. However, because the goal of action involves influencing others' actions, it is not enough to give an account of resources and opportunities to explain the action's outcome. One will also need to explain what exactly the mobilization of resources and evaluation of opportunities accomplish in order to change the other's will that goal-attainment requires. This is where the instrumental model of action with its four components (action, goal, means and situation) proves inadequate, as it fails to account for the motives of the other actor, which are subsumed under action components.

Although as an action theory of interaction the resource mobilization theory does not *explicitly* state what the other's motives could be, it still has to *assume* what they are. Underlying a theory of mobilization of resources is a set of assumptions about the nature of interaction between protesters and other actors. A closer look at what scholars describe as political opportunities can help to illuminate those assumptions. While they agree about the role that opportunities play in mobilization, seeing them as those features of action environment which can encourage or discourage action (McAdam, McCarthy and Zald 1996, 54), they apparently disagree about dimensions of the structure which should be labelled political opportunities (McAdam, McCarthy and Zald 1996, 26-7). However, though this may seem so to someone within the

discipline, to an outside observer they appear remarkably unified even in their diversity. The opportunities named by different scholars are not only mutually compatible, but also make up a coherent picture of how the scholars believe the environment contributes to the action's success. It is possible to reduce the variety of the proposed dimensions to three: the openness/closure of the political system, conflict/alliance structures within it, and resources/constraints (see, for example, various articles in McAdam, McCarthy and Zald 1996, especially pp. 10, 27, 54, 277).

All in all, those dimensions describe power relations within the system, or rather configurations of power relations, as the word seems to connote flexibility, the fact that the balance of power can be shifted from its original position. The nature of interaction between the two parties is precisely the shifting of the balance of power, the overcoming of opposition of a more powerful opponent. The initial power balance is described as the degree of access that challengers have to the system: the more open the system, the more power protesters have at the beginning. Yet no matter how relatively open the system was at the beginning, to achieve their goals protesters still have to make the system concede to their demands. Thus, it is assumed that even a relatively open system is not entirely open. Protesters have to deal with a relatively closed system, where their opponent is not prepared to yield to their demands willingly, at any rate not as long as its power remains superior to that of protesters. To overcome the opposition protesters have to become more powerful than their opponent. They have to level the power balance, to acquire a power advantage over the opponent. This is the whole point of the mobilization exercise, which includes material and symbolic resources, participants as well as powerful allies. To mobilize resources is effectively to mobilize power. As their power increases, the power of their opponent respectively diminishes. This shift in the balance of power makes for success.

Success is a product of protesters' power, or more precisely the power advantage they have over the opponent. The theory of instrumental action proposed by the resource mobilization approach is premised on a theory of strategic interaction.



Protest is seen as an exercise of power against another, usually superior power. The assumption of a power struggle is linked to another assumption about there being an opposition of interests between protesters and their opponent. Indeed a power struggle can only ensue from conflict of interests: it is one possible form of resolving a conflict of interests between two parties. A conflict of interests does not necessitate a power struggle, but a power struggle is impossible without a prior conflict of interests. An opposition of interests is a specific form of their interdependence where each of the opposing interests entails that the other party gives up their interests. Thus, one party orientation to success is also an orientation to the defeat of the other party. One party's success is premised on the other party's defeat. This type of interaction has been referred to in the sociological literature as a zero-sum game (e.g. Schelling 1960), or strategic interaction (Goffman 1970)<sup>11</sup>.

A classical case of a zero-sum game and strategic interaction is warfare. It is true that not all wars *end* as zero-sum games, but all wars without exception *start* as zero-sum games. When a war ends in a coordination game (such as peace talks), it is because somewhere in the course of interaction the players have changed their motives. The current understanding of protest owes much to military conflicts, which have been a source of inspiration for many a scholar of social movements. The density of military metaphors in the writings of the resource mobilization scholars is instructive. Some of its basic concepts belong in the wartime vocabulary, including the central one, mobilization. Many accounts of protest conjure up an image of a battle: a kind of peacetime social warfare. The tradition can be traced back to the now-classical notion of class war. It could be dismissed as simply a metaphor, if metaphors have not been shaping theories. Some scholars have been using military encounters as a model for social interactions such as protest. Given that war is one of the primary human undertakings, comparisons of protests with armed conflicts are not totally unjustified. On the contrary, they could even be illuminating as long as one remembers that a military conflict is a form of social conflict, and to the extent that it is social it is not entirely a conflict.

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<sup>11</sup> The concept of a zero-sum game refers to the outcome of interaction, which is the success of either party counterbalanced by the defeat of the other. The term 'strategic interaction' pertains to the course of interaction itself, describing action strategies that the parties have to adopt in order to win.



Even if they do not share interests, the conflicting parties share understandings. War is a case of communication. And as with any communication, the aim is agreement, which is predicated upon prior sharing of understanding. For the most part this is a verbally impaired communication conducted by other than verbal means. In fact, the reduction of the verbal element is deliberate: both parties seek to withhold information about their moves because the disclosure would give a strategic advantage to the other party. Hence, information has to be obtained indirectly, through intelligence gathering and strategy planning which involves guessing the other's moves in advance and misleading the other about one's own moves (see Goffman 1970). Success in war (and other types of strategic interaction) depends to a large extent on strategic advantage gained that way. It is also conditional on physical superiority of resources, skill and effort, as well as strategy. Likewise, in social war (or protest) success is believed to be a product of power advantage, though this time it is a slightly different sort of power than we come across in armed conflicts. Some have suggested that the power of protest is the degree of disruption of social order it may cause (Piven & Cloward 1977, 24). Others maintain that it is the numbers of the mobilized as well as the organizational strength and strategic manoeuvring that make protesters powerful.

Power can be assessed in quantitative and qualitative terms: as superior or inferior (in relation to the other) or in terms of properties that grant power, such as numbers, organization, resources, skills etc. But the only way it can draw two actors together is by comparing their capacity to win a contest, i.e. by evaluating one against the other. This is the only *relation* it can create between the two actors. Defined as a capacity *to* (which sometimes entails *over*) created by possession of some material resources, power can only explain success as a product of that capacity, which is one actor's endowment in comparison with other actors. Thus, power is a *positional* not a relational concept: it is reducible to distribution of resources among actors. But resources do not in themselves contain motives. They do not necessitate coercion, i.e. one party seeking submission of the other against its will. Nor do they explain the motives of the defeated party when it is coerced into submission. Thus, although

superiority of power seems a sound explanation of the outcome of a conflict, in fact the talk of power obscures the interaction taking place between the two parties, which involves communication of meanings. It is meanings communicated in verbal or non-verbal (as in the case of war) form that create motives.

In strategic interaction such as war, meanings are communicated through an exercise of force. War is a coercive solution to the conflict of interests, with both parties seeking to enforce their own version of agreement on the other. Though the agreement is an enforced one, it is nonetheless rational, though it might not qualify as rational in Habermasian terms. It is rational to the extent that it is based on shared understandings of the situation in which actors find themselves. It is rational insofar as it is in the interest of both parties, although of course it is not the same interest. It is in the interest of the winning party because this is what it wanted to achieve. It is also in the interest of the losing party despite the fact that this is not what it sought to achieve. Where agreement is secured through coercion, the other agrees to comply because they have been made to revise their original interests following the change of their situation. In a new situation created by the first party's physical superiority submission becomes the best option for the time being. The first party has succeeded in endangering the other party's original interests thereby creating motives (reasons) for compliance with what was initially against the other party's interests.

To the extent that both parties to war try to construct reasons for the other to comply with their demands, war is an exercise in reasoning<sup>12</sup>. It is an attempt to effect agreement, though in this case it would be more appropriate to say enforce agreement, since effecting takes the form of enforcement. What makes war a special type of communication aiming at agreement is the way each party proceeds to secure the other's agreement. In the case of war agreement is secured through coercion. Protest, likewise, is seen by many as essentially a coercive enterprise, albeit undertaken the weaker party against the stronger one. Coercion is associated with the exercise of power and is seen as its main manifestation. Social orders which are

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<sup>12</sup> This excludes extermination wars, where the aim of the war is complete destruction, rather than any form of enslavement of another tribe.

orders of domination based on unequal distribution of resources are believed to be orders of coercion, with one group of interests being able to undermine the other group's interests in order to enforce its own version of agreement as a broadly accepted social order.

Coercion is traditionally differentiated from persuasion, which is another technique of effecting rational agreement. Parsons, for example, distinguishes between agreement secured by threats and agreement achieved by a promise of reward for compliance. He refers to the former as coercion and the latter as inducement (Parsons 1986, 105). Coercion is a form of negative inducement, which involves undermining the other's interests by inflicting costs upon them. Persuasion, on the other hand, is a form of positive inducement, where the other's original interests are enhanced. What unites coercion and persuasion is that both involve making the other *interested* in compliance. In both cases the outcome of communication, if successful, is the dependency in a positive or negative form of one actor upon the other.

### **Interests and norms: two 'vocabularies of motives'**

In the previous section I have attempted to demonstrate that protest theory is built on zero-sum foundations. Much of theorising about protest stems from a conviction that protest is not unlike war. The notion of power is central to such an understanding. In protest, like in war, the initial conflict of interests is resolved strategically, through struggle which involves mobilization of power and coercion. This resonates rather well with the argument of the general social theory, where cooperation is also born of coercion: one party's superior power (access to resources) secures the other's reluctant compliance. Where order is seen as a product of power containing conflict, interests are assumed to be the prime motor of social interactions. Protest theory follows in the path of the general social theory when it equates actors' motives with their (respective) interests. Interests are drawn upon to account for conflicts that drive actors apart, and for the cooperation which brings them together. It is actors' interests, thus, which sustain both forms of social interaction: conflict and cooperation. In the case of coercion power has a part to play in manipulating interests

before they can be 'reconciled' and made to cooperate. In the case of persuasion, such as at the negotiating table, power may or may not exercise influence on the final outcome of discussion, but it is again interests that motivate actors to cooperate<sup>13</sup>.

The resource mobilization theory originates in the liberal tradition, while the new social movement approach has strong roots in Marxism. Yet both share something in common, namely the model of actor driven by interests. That includes both individual and collective actors (social groups), but it never includes the totality of actors in a single society. Interests always exist in the plural (and in the diverse, to coin a new grammar category): they fragment society and also, due to that fragmentation, give birth to society. According to liberals as well as Marxists, actors owe most of their activity within any society to their interests. One of the main assumptions of liberalism is the one about the pluralist nature of modern democratic polity. That presupposes that every interest can gain access to structures of decision-making (also known as structures of interest-representation), although this involves competition with other interests for the same access. Thus, representation (access) is an outcome of competition, or struggle of interests. This is an optimistic and activating view: actors' gains or failures are considered to be products of their own efforts. The optimism is based on the assumption of equal endowment, or equal opportunity to advance one's interests. This assumption has been the bone of contention between liberals and Marxists<sup>14</sup>. Marxism has introduced a stronger and more emphatic power dimension in order to question that assumption. As a result, the competition thesis has been replaced with the domination thesis. But interests remain the prime mover of human social activity. Like liberals, Marxists subscribe to the notion of conflict of interests, although they apply it to social groups rather than individuals.

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<sup>13</sup> The case of power playing no role in achieving agreement has been referred to by Habermas as communicative action, where both actors are oriented to understanding. The orientation to understanding, according to Habermas, does not exclude, as I pointed out before, orientation to the actor's own interests. This makes communicative action similar to strategic action.

<sup>14</sup> See for example, the criticism levied upon the resource mobilization theory by the so-called malintegration (or social closure) theories of protest (Piven & Cloward 1977; Scott 1990).



What I would object to here is the association which is habitually drawn between conflict and interests. It is arguable whether divisions within society can be attributed to the diversity and opposition of interests. Nor can one be totally convinced by the primacy given to interests in sociological explanations of human action. It is a matter of (unquestioned) sociological convention that whenever individuals within society act in accord it seems reasonable to invoke Durkheim, the idea of collective consciousness and theories of social cohesion emphasising the binding and shared beliefs, such as tradition, norms, or values. But whenever the accord is broken and individuals find themselves in conflict, it makes sense instead to draw upon interest and power explanations. One of the enduring features of sociological theory has been the dichotomy of norms and interests as alternating explanations of social action, where norms are more likely to be conceived as an epiphenomenon of interests rather than vice-versa. This division of labour within sociological theory between the two concepts creates an unnecessary divide between conflict and cohesion, obstructing our understanding of both of these forms of social interaction.

Only when the association between interests and conflict is overcome can the concept of conflict shed some of the rigidity acquired through such an association and become more transparent. It then becomes easier to see that conflict and cooperation are not so sharply separated. Conflict is equally a product of shared understandings as well as of understandings that are not shared. It would be fair to say that social conflict is born more out of agreement than disagreement. Of the existing definitions of social conflict more than one invokes the concept of expectations: one party's actions are in conflict with the other party's expectations (Rex 1981, 11). Similarly, Luhmann (1995, 388) states that 'a conflict exists when expectations are communicated and the non-acceptance of communication is communicated in return'. It is a sociological wisdom that expectations are *social* in nature, meaning that they originate in *shared* understandings. Yet, because it is often assumed that shared understandings are the work of power (read interests), such an admission does not undermine the association between conflict and interests. Despite being defined as a non-acceptance of expectations (i.e. something that claims to have a legitimate claim to be accepted), conflict is still seen as essentially resistance to



power: a liberation of interests from domination by other interests which appear in the guise of normative (shared) understandings<sup>15</sup>. Thus, sociotheoretical accounts of conflict oscillate between the notion of action goals (individuals interests), and expectations imposed by others (shared cultural understandings). But they do not see the other as representing the social community to which both parties belong (as the term 'expectations' indicates); but instead rather as an actor with autonomous interests who can use what belongs to the community (normative understandings) instrumentally for the sake of his (her) own interests.

We can turn to war again to see if shared understandings, rather than diverse interests, are responsible for the existence of wars. War is an extreme case of social conflict, though the reverse is not true: a peacetime social conflict is not a mild case of war. If war was indeed strategic interaction *par excellence*, then who wins it would be entirely a matter of better strategy, skill and equipment (and some would say, a tiny bit of luck). On the whole, it is a better army that wins the war, just as it is a more able team who wins a sporting game. The rule of the game called strategic interaction is that the one who is *better* wins. If that was not so, then few would play it the way they do. Maybe who wins in war is decided by who is better, i.e. more able to win. But there is also another set of rules from an altogether different game that both players and their audiences seem to apply to what we have defined as a game of strategic interaction. They may not dispute the victory of the opponent, but the party that has lost a war often resents their defeat even though it may agree that the opponent was better. To the extent that war is a social conflict determined by expectations, they may have expected that they *ought* to have won the war. They may see themselves as deserving the victory more than their enemy, not from a strategic point of view (because they have a better army), but because they believe they have more *right* to win. The conflict is not about who is stronger or more able; it is about who is more right. It is always about right and wrong, and therefore about norms, not interests.

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<sup>15</sup> John Rex's (1981) view of conflict is one example of this.

What accounts of strategic interaction fail to grasp is the fact that not only do players in zero-sum games *occupy*, *evaluate* and seek to *improve* their positions, which are positions of relative strength or weakness in relation to each other (i.e. positions of power), they also *judge* what those positions *ought* to be. It is this judgement which is responsible for the beginning of a war, although the judgement alone may not decide the outcome of a war, which rather depends on strategic advantage gained by one party's better manoeuvring. But in the case of protest, and this is where the analogy with war errs, victory or defeat does depend on the judgement about who ought to 'win' (though words such as victory, defeat and win can only be used figuratively in this case). For a warlike encounter, protesters spend too much time *talking* to their opponents and the public: parties engage in a war when they have little faith in the capacity of talking (argument) to settle their differences. Often what is said to the public is also and primarily meant for the opponent's ears. In fact, protesters never stop talking to the opponent. Even when they resort to violence they essentially communicate a message. This reliance on talk, argument and communication may signify the powerlessness of protesters, i.e. the absence of other (coercive or persuasive) means to resolve their difference with the opponent. But it may also be interpreted as the existence of a normative framework of agreement between protesters and their opponent invested with enough power for them to appeal to in the case of any disagreements.

The starting point of both war and protest is normative disagreement, which presupposes normative agreement. Protesters and their opponent have different ideas of what the other can or cannot do. When the new green activists urge businesses and the government that they *cannot* (ought not to) grow genetically modified food, they make a judgement about the limits of the other's actions. Similarly, the warring parties each have a judgement concerning the acceptable limits of the other's territory and policies. War is a form of imposing that judgement, just as protest is. During the Cold War both the West and the East took actions in the belief that they were responding to the unacceptable actions of the other side. Likewise, Saddam Hussein's resistance to UN inspectors is based on the belief that America acts wrongly, just as America's readiness to threaten Iraq reflects a conviction that

Saddam should not be piling up the weapons or resisting Western pressure. Both parties to the conflict have a judgement about what ought and ought not to be, but their judgements do not coincide. It is *how* they will seek to resolve differences in their ought-beliefs that makes war different from protest. America's threat of war against Iraq and protesters' determination to prevent genetic food modification are corrective strategies, though of a different kind, attempting to rectify what they construe as the other's misconduct.

To the extent that they define the other's line of action as essentially misconduct, they assume that there exists a normative bond, i.e. agreement, between them and the opponent. The disagreement in which both parties to a conflict find themselves is about agreement. Both parties lay claims concerning the conduct of the other, and to the extent that one party considers the claim legitimate the other party disputes its legitimacy. Yet, because both claim legitimacy, they share an expectation that agreement is something that the other party *owes* to them. The sense of rightness of any action, whether by oneself or the other, is inseparable from the notion of debt. The right conduct is regarded as a debt to the first party and indirectly to the whole community that embraces both of the parties, the debtor and the creditor. The notion of debt implies a prior exchange of promises, i.e. agreement between the parties that now find themselves at disagreement. Hence, disagreement can only be regarded by both parties (and especially the one which believes itself to be wronged) as deviation from prior agreement. Thus, disagreement is the question of one party opting to ignore the agreement. If this seems self-evident, one has to remember that most of social theories start with an assumption of disagreement as existing prior to any agreement.

The analogy with war prescribes that protest should be viewed as an act of coercion. Social theories that adopt the power/conflict perspective tend to reduce *all* social interactions to power struggles, where conduct is a function of resources at the disposal of the actor. I have argued that this is not the case. The way protesters attempt to settle the disagreement with the opponent is very different from how disputes are settled in war. Confrontations between protesters and the state (or other

actors of civil society who they regard as their opponents) may occasionally prompt comparisons with war, especially when both sides resort to violence. Yet neither protesters nor their opponents can rely on violence without risking public support and damaging the rightness of their cause<sup>16</sup>. Even those who adopt radical measures never stop arguing their case, if not to the opponent then to the public who they are eager to turn to their side. The point of argument is not so much to *mobilize* the public as to *persuade* it that their claim to rightness is superior to that of their opponent. It is true that protesters can inflict financial costs on the opponent by various strategies (such as strikes, road-blocks, destruction of genetically modified crops, etc.), thus substantiating their normative arguments with demonstration of power. But the use of force alone is never their primary or only strategy<sup>17</sup>. More often, demonstration of force, or power, is a demonstration of determination and public support, which is an indirect statement of the superiority of their claim to rightness<sup>18</sup>.

The concept of power (interests) may have dominated sociological debates about protest, but protesters themselves have always preferred another concept. Sociologists may be right to claim that protesters are defending their *interests*, but this is not what protesters themselves say they are doing. They claim to be defending their *rights*. The theme of rights (or more generally entitlements) has been central to social movements of modernity. It seems that the only feasible way for a disadvantaged social group to defend their interests in modern society is to present these as entitlements. Workers' mobilizations in the 19<sup>th</sup> century were among the first to adopt the vocabulary of rights. This tradition has been continued by major movements of the 20<sup>th</sup> century, such as women's rights movements, civil right movement, and more recently movements for the rights of homosexuals and even

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<sup>16</sup> In a polity where violence, on the contrary, is accepted by the public at large, resort to violence is unlikely to damage the cause that either of the party is defending.

<sup>17</sup> It is possible to argue that where there is little trust in the other's commitments to the shared normative framework, protesters would be more likely to seek coercive solutions. This would vindicate the power struggle view of protest. Alternatively, one could argue that even when they seek to inflict damage on the opponent, protesters use it more as a message for the opponent and the public, i.e. for its symbolic properties rather than its capacity to undermine the other's interests.

<sup>18</sup> Over-reliance on violence can turn protest into terrorism, which is a borderline case between protest and war. Characteristic of terrorism is the restriction of communication to inflicting costs, or damage on the opponent.



animal rights. It is useful to note that interests represent a mode of exclusion, being associated with divisions in society. Rights, on the contrary, describe a mode of inclusion. Rights are associated with the concept of citizenship, which refers to an inclusive modern political community of nation-states where people are made equal through sharing in access to political power. Because rights belong in the liberal political discourse, critical social thinkers such as Marxists have always shown less interest in the concept, preferring the concept of power/interests instead.

Just why protesters prefer the language of rights to that of interests, which social scientists enforce upon them, is a most interesting question, and one which is directly relevant to the problem of social order. If Habermas and Weber, upon whose legacy he draws, are right, then there exist two modes of coordination of human actions. One is through *interest positions* (what Habermas calls success-oriented strategic action), and the other through *normative agreement* (understanding-oriented communicative action) (Habermas 1984, 282-6). The first mode of order resembles Durkheim's organic solidarity, being constituted by division (and therefore complementarity) of interest (power) positions. The other mode of order can be called communicative, or in Durkheim's terms, mechanical solidarity: it rests on shared (normative) understandings rather than divided material resources. Habermas is quite right to suggest that potential for agreement is intrinsic to language (1984, 288). It only makes sense to talk when one assumes that understanding is possible (even if the achieved understanding does not always alter the unequal power positions of those who try to reach understanding). In fact, it is not possible for any two parties to engage in talk attempting to reconcile their interests, unless those parties share understandings concerning those interests, i.e. when they operate within a normative framework of reference. Without reference to norms there is no possibility of coming to agreement through talk. Nor is there any room for discussion because argument requires shared understandings, which interests are not as they divide rather than connect.

As I shall demonstrate in the chapters to follow, with the help of the empirical data from three cases of protest movements, protest is an example of coordination through



normative dis/agreement rather than through interest positions. The notion of power which currently informs our understanding of conflict (is the reason why we understand conflict to be a conflict of interests) is quite inappropriate if one wishes to account for interaction and the underlying relationship between protesters and their other, usually described as their opponent, or adversary. I further contend that coordination through interest positions (or, one may add, through unequal distribution of resources) is a particular case of coordination through normative dis/agreement<sup>19</sup>. This should not mean, as my critics are likely to suggest, that power (interest) positions as they currently exist are *right* from the point of view of the observer or the occupants of those positions. Rather it means that interests themselves exist as shared notions about right and wrong, i.e. within the normative framework. If we choose to deny this, we are opting for an alternative, which is to consider interests as effects (attributes) of material resources at the disposal of an individual or a group; or, in biological terms, as consequences of basic human needs such as survival, etc.

It is one of the consequences of there being a normative framework linking the two parties to a conflict that protesters *can* enter an argument with their opponent. *Can* here means that they construe the relationship as a normative relationship of rights and obligations, or mutual responsibilities towards each other. In such a relationship 'what we want' (interests) is also 'what the other owes us' (norms). And it is difficult to establish what comes first. Rather, where there is such a relationship, wants exist purely and only as entitlements. In so far as protesters make what they see as rightful claims, they *can* enter an argument with the opponent, because they act in accordance with what they perceive to be a prior normative agreement. They ought to 'win', or be granted what they seek, because their 'victory' is the other's obligation. Where the opponent's response to protest is repression (i.e. the absence of communication), it is an indication that from the opponent's point of view, protesters *cannot* act as they claim they can. Similarly, where the opponent's reaction is more

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<sup>19</sup> I find it difficult to accept the dichotomy of two modes of coordination, power and norms. Most scholars draw this distinction, but having done so proceed to explain one through and as the other. The result is that there is a primary mode of coordination (it is more often power than norms), and that the other (usually norms) is a secondary mode of coordination enhancing the first one.

tolerant yet equally negative (e.g. when they allow protest to develop but ignore or oppose claims advanced by protest), this indicates disagreement between the two parties regarding what the other can or cannot do. This is a normative disagreement. Whether or not 'norms' here is a word for 'interests' (and normative disagreement a disguise for a conflict of interests), is a subject which sociologists can speculate upon, but cannot or have not yet been able prove. The fact of the debate is that both parties draw on what they believe to be shared normative resources, even though, by the very fact of disagreement, they contradict themselves and effectively deny that the normative framework is indeed shared. I shall explore the question of normative dis/agreement at greater length in one of the following chapters.

## **Sense of injustice: the role of symbolic resources in strategic encounters**

Neither of the two dominant frameworks of theorising contentious collective action, namely the resource mobilization theory and the new social movement approach, offers possibilities of exploring the normative dimension of collective action. Both, as I have argued earlier, portray movements as power struggles with an adversary, in which the outcome is decided by the amount of resources commanded by each side. While the new social movement approach presents a panoramic view of conflict that has roots deep in the structure, by contrast the picture offered by resource mobilization theory is a close-up focusing on actors and ingredients of success. The two approaches can also be divided along a symbolic-strategic line. The speciality of European scholars has been the symbolic production of action. Constructing and communicating meanings has been seen as part of the struggle. American scholars, on the other hand, have chosen to concentrate entirely on the strategic side of protest, on the generation of resources and mobilization of action. They also deal with meanings produced by actors insofar as they consider the free rider problem, yet those are the meanings for private consumption only. Hence, 'symbolic production' would hardly be an appropriate description for free rider dilemmas, since the word *symbolic* implies meanings that are shared, in other words culture.

It has taken resource mobilization scholars over a decade to reply to their critics by injecting a bit of culture into their otherwise strategic perspective. They have also managed to do this without overtly compromising their strategic leanings. The beginning of the 1990s saw resource mobilization theorists begin to take a social constructionist turn. In fact, the theory has begun to move backwards, toward its intellectual predecessors: the relative deprivation approach and the social psychology of protest, which ruled the field in the 1950s and 60s. In a complete reversal of their original position, resource mobilization scholars have displayed interest in grievances, which were once dismissed by them as irrelevant for theorising protest. Grievances have been reinstalled in the resource mobilization theory under a new name of *cognitive cultural* frames. The two adjectives accompanying the word 'frame' are essential parts of the concept. They describe accurately the dual lineage of the term, which has links both in the field of cognitive psychology and cultural studies. They also correctly indicate how frames function both as part of individual thought processes (agency), and as a part of societal culture (structure), thus confirming and reproducing the structure-action divide so central to social theorising.

The main thesis of the relative deprivation theory was that deprivation is a matter of perception rather than (objective) condition, and that every deprivation is relative to actors' expectations. The framing theory broadly endorses the above thesis, but has one important addition, or qualification to make. It maintains that actors are socially embedded and therefore perceptions are shaped by the culture, which forms the symbolic context of individuals. When the latter perceive their conditions as grievances, they utilise 'interpretive schemata' that have circulation in a particular culture and are made available to actors. Culture thus acts as a stock of meanings that individuals can use just as they use material resources. In the structure-action universe meanings effectively become symbolic resources that actors can 'draw upon' to advance their interests. The injection of culture, therefore, has not undermined the instrumental model of action that the resource mobilization theory relies upon. Culture has proved compatible with and adaptable to the structure-action framework. All that has changed since the resource mobilization theory has taken a

social constructionist bent is that a new set of (symbolic) resources has been added to other (material) resources on which the success of collective action depends.

The concept of relative deprivation, long forgotten by scholars of protest, has been rescued from oblivion and begun a new existence under the name of the collective action frame. As this term indicates, it is a frame that calls for action, or more simply contains a set of *mobilizing*, action-oriented meanings, beliefs, and ideas (see Gamson 1995, 89; Snow and Benford 1992, 135). But just why those meanings are so mobilizing is something that the framing theory has no answer to. It is generally believed to be a matter of the frame's content, i.e. the nature of the meanings that comprise it. When it comes to identifying the mobilizing frames and separating them from demobilizing frames, the framing theory is impotent. To pinpoint the meanings that render collective action both desirable and necessary, scholars have to rely on their own sense of common sense rather than on the insights of the framing theory. It is argued, for example, that 'collective action frames are injustice frames' (Gamson 1992, 68). They 'serve as accenting devices that either underscore and embellish the seriousness and injustice of a social condition or redefine as unjust and immoral what was previously seen as unfortunate but perhaps tolerable' (Snow and Benford 1992, 137). There is nothing in the framing theory to foresee the link between action and the meaning of injustice. The framing theory cannot explain why action frames have to be injustice frames. Frames are by definition empty casings that can enclose any content, while at the same time remaining symbolically detached from it, despite the obvious physical relationship. What is important is not *what* the frame frames, but the fact *that* it frames. Actors, however, act in accordance with the content of the cognitive frame, for which the framing theory has no account. No matter how far one can go in perfecting and elaborating the framing theory, it remains impossible to derive an account of the frame content from the notion of the frame.

As an account of the symbolic origins of collective action the framing theory is insufficient: a frame has to be filled with a certain content before it can explain how or why action takes shape. When proponents of the theory identify the content as injustice they effectively supplement the theory of collective action frames with an



additional theory (or description) of a frame content. That the content of the mobilizing frame should be injustice appears so obvious to resource mobilization scholars that further explanation is deemed unnecessary and is therefore never given. After all, they are not the first to argue that injustice leads to protest (see Turner 1969, E. P. Thomson 1971, Piven and Cloward 1977, Moore 1978). They may have been just following a long-standing tradition in sociology, but it is also likely that, just like their predecessors, they have been relying on their own *competencies* as actors in a society they try to explain. Yet what is needed is an explanation of those competencies themselves: in other words, one has to answer the question why protest appears in response to injustice. There are two aspects to injustice. On the one hand, the concept describes a *meaning* that actors attribute to situations, on the other, it refers to those *situations* to which the meaning has been attributed. With a few notable exceptions (Moore 1978, E. P. Thompson 1991), protest scholars have focused on the former at the expense of the latter. What is considered important is not that something described by actors as injustice has taken place, but that actors perceive it in a certain way, i.e. with a sense of injustice. Because injustice is an evaluative concept, the positivist science of sociology leaves it to actors to decide on what constitutes injustice; while sociologists, eager to keep the boundaries between their position and the position of actors, confine themselves to registering the acts of evaluation performed by actors.

It might appear that, contrary to what I suggested earlier, resource mobilization scholars do have an explanation of the mobilizing potential of injustice frames. At least they attempt to *describe* how an injustice frame triggers collective action. The trouble with their explanation is that from a sociological point of view this appears less than satisfactory. The line of argument adopted by many scholars of protest who write on injustice typically includes three stages: belief, emotion and action. The sense of injustice leads to moral outrage, which leads to protest. As a belief *injustice* seems to have a capacity to inflame individuals and thereby drive them into action. Gamson (1995) describes this as being largely a matter of the temperature of cognition. Injustice, we learn, is a state of the so-called '*hot cognition*'. The cold cognition of intellectual judgement is contrasted with '*the heat of moral judgement*'.



Moral beliefs seem to generate 'righteous anger that puts *fire* in the belly and iron in the soul' (Gamson 1995, 91). Once individuals are thus inflamed, it seems that nothing can prevent action. Protest becomes inevitable.

That beliefs should have such a physical effect on the bodies or minds of protesters seems bizarre to say the least. Rather than being considered significant in themselves moral judgements are said to be important insofar as they generate the right kind of cognitive temperature. It is also odd to see the resource mobilization school, once criticised for construing actors as rational cost-calculating creatures, all mind and no heart, attribute the rise of protest to an inflaming combination of morality and temper conveyed in expressions like 'moral outrage' and 'righteous anger'. This by no means indicates the demise of the rational actor model and its replacement by the righteous actor model. Rather, the theory is trying to perform a delicate balancing act in an attempt to reconcile the rational and the emotional. Beliefs and the feelings they generate are treated as 'ideational *factors*' which are 'important *variables* in the collective action *equation*' (Snow and Benford 1992, 151). The 'thermodynamic' explanation is only part of the story describing how injustice frames contribute to collective action. The other part rests on the arguments adopted from the attribution theory in social psychology. This is another *cognitive* theory of *action*. This time, however, what matters is not whether cognition is hot or cold but the *knowledge* that actors have of the *causes* of their grievances. Action lacks the target unless actors have identified the causes and remedies for their grievances (Snow and Benford 1992, 137-8). Injustice frames accomplish just that: they construct knowledge of the causes by attributing the blame for actors' grievances to other human agencies, rather than to impersonal fate or luck (Turner 1969, 391).

When actors *describe* their situations as 'unfair', 'undeserved', 'unjust', 'wrong' or 'immoral' (see Gamson 1995, 91; Piven and Cloward 1977, 4; Snow and Benford 1992, 137), they *judge* them from the point of view of norms and moral standards. Yet in terms of the resource mobilization theory this amounts to *framing*, or interpreting situations in a way which is conducive to collective action. In this theory moral judgements are interpretive frames. They are important insofar as they make

actors capable of acting by supplying them with the knowledge of the problem and solution to it. In other words, injustice frames have a function of diagnosis and prognosis (Snow and Benford 1992, 137-8). They enable instrumental goal-oriented action, which the resource mobilization theory utilises as the model of protest. From the resource mobilization perspective, injustice is a meaning that triggers action, not the situation to which the meaning is attached by actors themselves. Hence, injustice is seen as a content of a specific cognitive (action) frame, which bears the same name. It is of no interest to resource mobilization scholars exactly *what* condition or situation the actors judge to be unjust, unfair, immoral, undeserved or plainly wrong. What is important is that they see it as unjust and take action because they perceive it as such. Injustice is simply a meaning that generates action; unlike, for example, misfortune, which suppresses rather than encourages protest action. It is argued that those who think they are suffering misfortune are more likely to seek sympathy and help, whereas those who perceive their troubles as injustice tend to resort to protest (Turner 1969, 391).

Most of the current sociological analysis of protest, including the resource mobilization school and the new social movement approach, employs the action frame of reference. In this framework, the state of action is distinguished from the state of inaction preceding it. Collective action, of which protest is a case, is seen as emergent. To explain protest is to explain how a passage occurs from no action to action. The existing understanding is that such a passage involves a transformation of structural conditions, for example when grievances arise or, as the resource mobilization theory argues, when suddenly opportunities for action/success appear. This is accompanied by a transformation of cognition, or the consciousness of actors. It is believed that action requires a new and transformed consciousness that is different from consciousness of the preceding state of inaction. Somehow it is thought inconceivable that action could emerge out of the old pre-action consciousness. Instead of continuity, collective action becomes a statement of discontinuity, a negation of everything that existed before it. If this is a definition of radicalism, then protest theory is radical. Repeating the mistake of many social theorists who sharply separate order and conflict, treating them as negations of one

another, protest scholars similarly dig a deep trench between the state of action and the state preceding it. Protest, therefore, emerges as a radical break with and a negation of the previous state of compliance.

At this point it becomes clear that protest, which all along has been defined as collective action, is in fact a very specific type of collective action, which *defies* power and therefore is also an *act* of power. Only as an act of power can it be a negation of compliance, which is how the state preceding and lacking protest is described. Power relations have to be invoked in order to explain the emergent nature of collective action. It would be fair to say that any social movement theory is based on a clandestine theory of power relations. Compliance, as we know it, is the sociological understanding of action that reproduces structure. Thus, in sociological theory, structure is virtually inseparable from power both in its normative manifestation and as domination of interests. Structure is conceived as relations, or operation of power. But this also means that protest, conceived as an emergent phenomenon and negation of compliance, cannot be part of the operation of power, which is also a reproduction of structure. The only alternative is to see it as revolutionary restructuring of those power relations. Since protest cannot be part and parcel of the routine operation of power, its emergence must involve new and transformed conditions different from those responsible for the routine reproduction of the structures of power.

Hence, the career of the theory of collective action frames, which started as a theory seeking to explain the symbolic conditions surrounding the emergence of protest, and has ended up as a theory of transformation of consciousness. When protesters 'frame' their grievances as injustice, not only do they attribute blame and thereby identify the target of protest, they also undergo a transformation of consciousness. Injustice frames challenge and replace the existing interpretive frameworks which legitimise power relations by producing 'quiescent political consciousness' (Gamson 1992, 67). It is somewhat surprising to see American resource mobilization scholars come so close to European Marxist arguments about the role of ideology in domination. Not only do they acknowledge the influence, they also employ some of

the terms that have currency within the Marxist tradition, such as hegemony, domination and manufacturing of consent (e.g. Gamson 1992). Like Marxists, they argue that liberation from domination comes through the development of consciousness, which transcends the boundaries to which ideological domination has sought to confine it. McAdam (1982) refers to this as 'cognitive liberation'. Others within the resource mobilization theory describe it as a kind of symbolic struggle, or 'framing contests' (McAdam, McCarthy and Zald 1996, 269), where injustice frames 'face a field of combat that is already occupied by a competing legitimating frame' (Gamson 1992, 68).

Joining forces with Marxism, the resource mobilization theory seems to argue that just as legitimating frames are the work of power which perpetuate power, so injustice frames are products of resistance to power which also produce resistance to power. What remains unclear is how consciousness shaped by domination can produce consciousness against domination, if the two are so divided and seem the extreme opposites of one another. Transition from one to the other remains the most mysterious point in the Marxist doctrine of true and false consciousness. Social movement scholars do not make it any clearer either. The resource mobilization theory simply locates the frames in the cultural 'stock' of meanings, so that they can be 'drawn upon' and utilised as power enhancing resources by all the parties involved in a conflict. Yet there is no reason to so sharply separate the two consciousnesses, one that legitimates and one that challenges legitimated order. In fact, the two are connected through a notion of legitimation. It has been observed that protesters consider it important to legitimate their actions, which challenge the current state of affairs, and also to disclose as illegitimate the actions of their opponents, which have led to the current state of affairs (see, for example, Piven and Cloward 1977, 14).

The need for such legitimation (and delegitimation) rhetoric can only arise if protesters are keen to *appear* to be doing the right thing. That implies the *audience* in whose eyes and understanding they would like to appear as doing the right thing. There is also a question of *why* they would need to appear as doing the right thing. If



we are to understand protest as a power struggle whose outcome depends on command of resources, then it is hard to see the need for legitimization rhetoric. Any attempt to prove oneself right and the other wrong would be rather unnecessary. In a strategic encounter (e.g. a war between two states) one does not need to legitimate an assault on the enemy's position to the enemy, although one might need to justify the aims and means of the war to one's own side. Not quite so in the case of protest where the audience for the legitimization rhetoric includes not only the supporters but also, more importantly, the opponent as well as neutral parties, such as the public. It is normative ties that define the boundaries of the audience of the movement's legitimization rhetoric. The difference between supporters and opponents of protest is not as clear as it is in the case of war, where it would be a wasted effort as well as a great risk to attempt to talk the enemy out of their intentions by using persuasion and moral argument.

## **Rules, relations and action: the normative perspective on protest**

When protesters make a moral judgement (e.g. that the other's actions are unjust or that their sufferings are undeserved) they do more than employ an interpretive framework that necessitates action. They invoke understandings about the right and wrong ways of acting within a given relationship, understandings that they believe the other shares, or ought to share, with them. Those understandings do indeed necessitate action (or at least generate a motivation to act, if not action) because they are (understandings about) rules that regulate the relationship between the two actors. The concept of rules has not been what one would call an indispensable tool in the analysis of protest. The concept of the sense (or perception) of injustice is as near as social movement scholars get to acknowledging the operation of rules in social interactions, including protest. The notable exceptions are the historians E. P. Thompson (*The Moral Economy of the English Crowd in the Eighteenth Century*) and Barrington Moore (*Injustice: Social Bases of Obedience and Revolt*); both, however, are marginal to the field of collective action studies.



According to E. P. Thompson, food riots in the 18<sup>th</sup> century England owe as much if not more to the notion of 'moral economy' (which refers to 'popular consensus' about legitimate and illegitimate practices in marketing) as to poverty and hunger. What appeared to other historians as a desperate attempt by the hungry to feed themselves at the cost of disrupting social order, is described by Thompson (1991, 188) as action in defence of 'traditional rights and customs'. Drawing on various examples of protest (and absence thereof) from history, Moore (1978) offers a similar line of argument. He suggests that there is a tacit social contract between the rulers and the ruled, which imposes limits on what they can do in relation to the other; the violation of the contract results in the feeling of moral outrage that leads to protest. However, the limits of the social contract are ill-defined, and occasionally it is the feeling that the contract itself is wrong and has to be revised that causes protest (Moore 1978, 18).

These two scholars do not seem to share a view that prevails in the collective action studies that protest is caused by grievances (psychological states of discomfort, pain and suffering) or interests (social states of deprivation, especially with respect to resources possessed by others). They take a different approach, arguing that the origin of collective action should be sought in normative agreement, i.e. in shared frameworks of rules. Injustice is considered to be more than an interpretation of experience (cognitive frame): it is a state of normative *relationship* between protesters and their opponents, a reaction of one party to a perceived violation of normative agreement by the other. Grievances therefore are *created* by injustice, not *interpreted* as injustice. For example, women who get paid less than men for the same type and amount of work will feel aggrieved to the extent that they think this unjust, or wrong. Similarly, animal right activists 'suffer' insofar as they regard that what they construe as the 'suffering' of animals is unacceptable from a moral point of view.

Despite introducing the concepts of injustice and blame to explain how grievances translate into action, most scholars of social movements continue to describe protest

as actors' response to their circumstances, rather than attribute it to shared understandings that exist between protesters and those they protest against. By and large, the collective action theory overlooks, or fails to theorise, the fact that collective action takes place within the framework of normative agreement. Instead, social movement scholars prefer to stretch existing theoretical resources in order to account for the normative aspect of protest. Hence, such concepts as cognitive frames and symbolic resources. The so-called dramaturgical perspective on protest (recently, Benford & Hunt 1992; Blain 1994; earlier, Klapp 1962, 1970) provides the most recent example of how collective action scholars do not see the normative aspect of protest for what it is, but instead choose to explain it within the strategic frame of reference.

Like the resource mobilization school, the dramaturgical perspective employs an analogy, which it develops into a theory. This time, social movements are compared to theatrical performances, as opposed to recruitment agencies of the resource mobilization school. It is argued that collective action is staged rather than mobilized. Protest is seen as a public performance aimed to move its audience. Movement organizers 'write' scripts (or stories) representing the issue of protest, casting their opponents in the role of *villain*, the aggrieved population in the role of *victims* of injustice, and themselves as the *hero* coming to the rescue of the victims. Yet theatres of protest resemble theatres of war. Imagery and rhetoric are seen as 'tactical weapons' in the struggle for power (Blain 1994, 805). The point of dramas enacted by the movement is to 'motivate and *mobilize* people' (Blain 1994, 819, emphasis added). Performance itself 'involves the demonstration and enactment of power' (Benford and Hunt 1992, 45). Thus, not only is struggle central to the dramatic plot (is the content of the story), it also is a resource in the real power struggle.

What remains to be explained is why the struggle in the plot is, inevitably, between good and evil, and why the performance of this righteous struggle helps in the real power struggle with the movement's adversary. Why, for example, do movements need to present themselves as 'moral agents' (Blain 1994, 823) fighting injustice?

The dramatic plot, which represents the struggle between protesters and their opponents, is about the committing of injustice and restoration of justice. This seems to confirm the point I made earlier that movements are keen to *appear* to be doing the right thing while presenting their opponent as doing the wrong thing to the audiences that matter. This is only necessary and possible when those audiences have *standards* of judgement concerning the right and wrong courses of action and are only prepared to grant their support to the *right* side in the conflict. In other words, there seems to be a normative relationship linking the two sides to the conflict (protesters and opponents) and the audience of the conflict (the public). And insofar as it takes place within a normative relationship, conflict is not so much about power as it is about acceptable limits of action (i.e. about shared notions of right and wrong that regulate interaction).

Despite its appeal, a battle is a misleading analogy. Protesters engage in neither real nor rhetorical battles. The sheer inadequacy of the power struggle model of protest becomes apparent when we attempt to apply it to interactions where both parties undertake to persuade each other to accept their claims as right by invoking what they take to be shared normative understandings. Communicative interaction of this kind *constitutes* protest as much as does the act of confrontation itself. In fact, a legal analogy would be more appropriate than a military one. What the war model describes as the launching of an *attack* on the adversary's positions would, in legal terms, appear as the raising of *charges* against the offender, a charge being an allegation of a breach of rules, whether declared (written) or tacit (unspoken), that regulate social interactions. The emphasis on power in the current sociological understanding of protest obscures the fact that conflict is about rules (norms), and that the origin of conflict is not the antagonism of interests or imbalance in power relations, but shared normative understandings.

As I shall demonstrate in the following chapters, protesters go about achieving their aims by creating an extensive normative argument. Unlike scholars of protest who believe that everything hinges on power and resources, protesters seem to proceed from the conviction that success depends on how *right* they are. This, in turn,

depends on whether they have managed to convince others that they *are* right. The instrumental model of action employed by an overwhelming majority of social movement scholars cannot account for the normative argument used by protesters. If the outcome of protest depended on the strategic advantage of one party vis-à-vis the other, as the instrumental model suggests, there would be no need to engage in any debate about right and wrong. The fact that protesters engage in normative discussion points to the existence of a normative relationship between protesters and other actors. This in turn undermines the claim that the aim of protesters is to advance their interests by utilising available resources and overcoming external constraints. Such conceptualisation of protest ignores the social meaning of the action, which the protesters themselves construct as correction of wrongdoing. If this is what protesters seek (and this is what they say they seek), then the instrumental model of action utilised by protest scholars is thoroughly inappropriate. As corrective action protest cannot be described in instrumental terms. The point of corrective action is not to advance interests but to protect the social norm and thereby the relationship regulated by the norm. Nor can norms be conceived instrumentally, as resources in a strategic contest, because norms can only be used instrumentally they are essentially non-instrumental (i.e. when they are ends in themselves rather than means to ends).

The mobilization model conceives of protest as success-oriented collective action. Yet to the extent that protesters employ normative argument (which reveals that protest takes place within the context of normative relationship), actors' orientation to success is also at the same time orientation to normative agreement. Interests and grievances are but aspects of shared normative understandings. When people mobilize to change their collective circumstances, they may seek to alleviate their grievances or advance their interests, yet they also act in accordance with normative understandings that define the relationship between them and other actors. Insofar as this is the case, protest would more appropriately be described as a form of *participation* in a normative social relationship, rather than an act of *mobilization* of power against power. The conception of protest as participation (in normative relationships) suggests a greater continuity between the absence and presence of protest; it also is equally applicable to different kinds of protest, from legitimate and

orderly ones, such as complaints, to illegitimate and disruptive ones, such as foot-dragging (tacit resistance) or riots (violent confrontations).

If protest exists within the context of a (normative) relationship, then to explain the origin and outcome of collective action is to explain how the relationship gives rise to action and how action sustains or/and transforms the relationship. Yet most theories of collective action explain the latter with reference to the action's structural environment, where they locate it, rather than within normative relationships. Within a normative social relationship, action does not unfold according to the instrumental purposive-rational model. But, insofar as action participates *in* the relationship, it also proceeds *from* the relationship, i.e. from shared normative understandings that constitute it. Even instrumental orientation to the other actor, where the other's actions are considered to be means for the attainment of one's own goals, is made possible by the knowledge of what the relationship is about, i.e. what it permits and requires. Thus, to locate protest within (normative) relationship, i.e. within the context of rules (or shared normative understandings), is to conceive protest as rule-following action, or conduct. Indeed, conventional protest, such as complaint writing, seems to vindicate this view. But as we move away from conventional towards less conventional protest, the description of protest as an act of rule following would seem less justified: violent confrontational protest, e.g. riots, seems more of an act of violation of rules than of rule following. Yet this reversal itself is instructive, especially since both conventional and unconventional collective actions are forms of protest.

We tend to think of protest as non-conventional confrontational action happening outside and often in defiance of the established normative framework. Both sides in the conflict often choose to act as if some of the norms that constitute the normative framework of society have been temporarily suspended. Law-abiding citizens may break the law, which they would not do in other circumstances. Authorities, on their part, may fail (or hesitate) to enforce the law when they deal with public protest, treating it differently from other disruptions of social order. Turner and Killian (1972) define this state of affairs as 'the emergent norm' situation. The emergent



norm theory recognises the rule-following aspect of protest, but assumes *discontinuity* between everyday normative commitments and those that prevail for the limited time of protest. The argument posits both rule following and rule breaking as characteristic of protest actions. What it does not do is *relate* the two sets of rules: rules that are being broken, and the rules that replace them and justify the breaking of other rules. Instead, the emergent norm theory separates the two normative frameworks: one is seen as operating on the regular daily basis and the other adopted for the moment of protest. The dividing line between protesters and their opponents is also the dividing line between the regular and the emergent normative frameworks.

The same problem is characteristic of the argument that collective action advocates normative, or value, change (Smelser 1962). Here too the two sets of norms, the old norms that are being rejected and the new norms advocated for the future, are considered to be irreconcilable, the negation of one another, which makes it difficult to explain why one is advocated as the *replacement* of the other. The explanation offered does not contain any reference to the *content* of the norms: the orientation to change is explained in terms of structural requirements (norms themselves are seen as elements and resources of the structure). The idea of a *passage* from one set of norms to another is central to both the emergent norm argument and the argument about norm-oriented collective action, the passage being regarded as either as a temporary suspension of the existing norm or as a lasting normative change. However, neither of the arguments can explain why the passage occurs, i.e. how one normative framework *generates* a different one, or why people switch their normative commitments. There seems to be no *meaningful* connection between the old and the new normative framework apart from the fact that one negates the other. Instead, both sets of norms are viewed as aspects, or moments in the development, of the structure.

To solve the problem of continuity and change, and to explain the shift in normative commitments from regular to emergent, from old to new, one has to abandon the traditional understanding of conflict as an antagonism of interests or structural

contradiction and understand conflict as a case of normative agreement. I have suggested in this chapter that conflict is to be understood as normative dis/agreement, i.e. as a moment in the process of reproduction of normative agreement. I have argued that it is wrong to construe protest as power struggle and mobilization *against* the adversary, because such a view is premised on the idea that action is motivated by interests. This idea is unsustainable. Were actors truly oriented to their interests, it would not be possible for them to defend their interests, apart from striking back and undermining the other's interests. This, however, is not protest, but retaliation. Paradoxically, it is because they are not entirely oriented to interests that they are able to defend them. Interests are aspects of shared normative understandings. To protest against the other, who has acted against my interests, I have to assume that both of us have entered an agreement to respect each other's interests, which entails that the other has acted against their normative commitments. The main limitation of the strategic model of protest, which I criticise and reject in this chapter, is its failure to give an account of the normative aspects of protest. It seems to be unable to either ignore the normative completely or explain it convincingly.

Part Two:

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**Communication of Disagreement as Assertion of  
Agreement**

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## Strategies of Reasoning, or the Communicative Repertoire of Protest

### Protest as a communicative accomplishment

Our current understanding of protest is shaped by two concepts: *mobilization* and *confrontation*. Mobilizing support for the cause and exercising pressure on the adversary are considered to be the two main actions that constitute the collective act of protest. This instrumental-strategic ‘reading’ of protest is deficient insofar as, having recognized that protest is a case of conflict, it fails to notice that *conflict* exists within the framework of (normative) *agreement*, as an expression of *problems* in agreement and an attempt to find *solution* to those problems. The focus on conflict explains the limited interest shown by protest scholars (and theorists) in the *communicative* aspects of collective action. Various activities involved in protest (such as setting up organizations, recruiting participants, creating collective solidarities, gaining publicity, mobilizing resources, organizing campaigns, etc.) are considered reducible to two basic constitutive components of action: creating collective agency, and engaging that agency in a confrontation with the opponent. Both actions involve communication. Insofar as it represents a *collective* effort, protest is a product of communication within the movement that seeks to overcome differences of opinion and coordinate the actions of individual participants and groups that comprise the collective agency. It is more difficult to grant that communication plays the same, *coordinating*, role in exchanges between the movement and the adversary: i.e. that confrontation (like building the collective agency) is also a communicative activity, and to that extent is only *partially* a confrontation.

No matter how accurately the two concepts – mobilization and confrontation – seem to summarize protest, the latter cannot be reduced to the simple act of mobilization and/or confrontation. As I shall proceed to demonstrate in this chapter, protest is a *communicative* event, and this implies something that both concepts equally fail to capture, perhaps because communication is so all pervasive that it is not considered interesting as such, and instead ends up being treated as instrumental to the effort to mobilize or win a confrontation. It may also be that the tendency to reduce communication to other actions is to do with the separation of conflict and agreement, i.e. with locating conflict outside agreement. Once we realize that conflict is a form of existence of (normative) agreement, we discover that not only does protest *involve* communication, but that it happens directly *through* communication. Communicative exchanges between protesters and their opponents, protesters and the public are central to the act of protest. Protest is as much about saying as it is about doing things. Even the most militant of movements, whose preferred mode of relating to the adversary is violent confrontation (e.g. terrorist groups and guerrilla fighters) feel a need to engage in a public discourse, addressing audiences beyond the circle of their immediate supporters. As for routine forms of protest, such as complaints, they are primarily *communicative acts*. To complain is to communicate a message to someone and by doing so *accomplish* something. Thus, the act of saying appears to be the act of doing.

This is not only the case with conventional protest, like complaints. *Any* act of protest, I shall argue, is communicative in this sense – communicative not insofar as it involves a great deal of communication (consider rallies, petitions or negotiations), but because it can only be *accomplished* through communication. Actions that we tend to associate with protest, such as organizing a movement, creating a new collective identity or engaging in confrontation with the opponent, are relatively marginal to protest. They are but rough approximations to what is going on when people engage in protest. Regardless of the form it takes – routine complaint, violent confrontation or tacit resistance – any act of protest is an act of communication of *disagreement*. To engage in protest is to communicate an objection to something



happening or about to happen. As with any communication, it takes place within the context of shared (if sometimes problematic) understandings, and constitutes a mode of *relating* to the audiences of communication through those understandings. Thus, whatever its institutional setting, protest always takes place within the space (framework) of shared understandings, or the *normative* relationship between oneself and the other. The fact that much of what protesters do when they protest is *done* by, or in the form of, *saying* something is usually passed unnoticed by scholars of protest or left untheorized. It is considered fairly obvious, and therefore tends to be dismissed as unremarkable, that protest involves *expressing* concerns and *voicing* demands. Both of these are purely communicative actions, insofar as they are accomplished by using words, yet both tend not to be recognized as actions in their own right.

Consider, for example, such a time-honoured protest technique as petitioning authorities. Protest scholars do not fail to identify this as action – petitioning is considered to be part of the action repertoire<sup>1</sup> of protest. As action, petitioning consists in using words to communicate a message to authorities. Petitioning is an act of engaging in (a written one-off) communication with the opponent. By writing (and delivering) a petition, protesters construct a *communicative situation* between themselves as authors and the authorities as receivers of the petition. But the fact of entering communication does not indicate *what* message is being communicated. What protesters attempt to *accomplish* by petitioning authorities is a different act. ‘Petitioning’ does not capture it. Protesters, for example, may write a petition in order to make (communicate) demands. The action of *demanding* is distinct from the act of *petitioning*. The act of making a demand is the act of saying ‘we demand’. Thus, we can only demand things by conveying *meanings* that must be shared and recognizable in order to be understood. If petitioning is an act of engaging in communication, making demands is the act of communicating a specific meaning. We can also distinguish between petitioning and demanding by thinking about the former as an act of *communication* and the latter as an act of *relating* through communication. Of the two actions, petitioning is more easily identifiable, or visible,

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<sup>1</sup> Charles Tilly’s term (Tilly 1981, 19; 1995, 41-2).

as action, which may be due to its 'physical' qualities, such as the text of petition, the effort that goes into writing it, or the fact that it has to be delivered. The act of demanding is much more elusive and insubstantial. Lacking obvious physical attributes, it consists entirely in the exchange of meanings, i.e. the action of understanding.

The 'unphysicality' of this action makes it difficult to detect for scholars of protest, who in their understanding of action rely on the image of a physical encounter, such as struggle. Its status as action, however, is confirmed by language itself, where the word 'demand' is used as both verb and noun. In his study of changing patterns of protest, Tilly (1995, 216-8) identifies actions by the verbs used in press reports of protest events. Alongside verbs that describe *physical* actions, such as 'assemble', 'attack', 'fight' or 'disperse', he lists verbs that describe *communicative* situations, such as 'negotiate', 'communicate', 'deliberate', and 'petition', as well as verbs that refer to actions accomplished *through* communication, for example, 'decry', 'request', 'complain' or, (more familiarly), 'demand'. The distinction is mine. Tilly, who treats verbs as *descriptions* of actions, fails to recognize that some of these verbs do not just describe what protesters do, they *are* what protesters do. These are words that protesters *use to* protest, and in this respect they are *actions*. For Tilly, however, 'demand', 'attack' and 'deliberate' describe the *same* action, which is why he refers to them as 'repertoires of contention'. The verbs do not designate actions, but *attributes* of the action of protest (or to use Tilly's term, contention). Like Tilly, Garfinkel earlier comes very close to acknowledging actions accomplished through words. In an article on 'degradation ceremonies' he describes the ritual of public denunciation as 'communicative work', which achieves the social effect of lowering someone's public identity (1956, 420). 'We publicly deliver the curse: "I call upon men to bear witness that he is not as he appears but is otherwise and *in essence* of a lower species"' (Garfinkel 1956, 421).

It was Austin (1962, 5) who first observed that in social rituals 'the uttering of the sentence is, or is part of, the doing of an action, which ... would not *normally* be described as saying something'. He proceeds (1962, 6, 46) to draw a distinction

between words that *do* things, or ‘performative utterances’ (e.g. ‘I bet’ or ‘I promise’), and words that merely *say* things, or ‘constative utterances’ (e.g. ‘He is lying’ or ‘It is dark’<sup>2</sup>). Yet the distinction proves to be short-lived. Having set out to explore the differences between the two types of utterances, he soon comes to realize that they both belong in the category of performatives. In other words, asserting is not unlike betting or promising. ‘Once we realize that what we have to study is *not* the sentence but the issuing of an utterance in a speech situation, there can hardly be any longer a possibility of not seeing that stating is performing an act’ (Austin 1962, 138). It is an act insofar as it forms part of a social situation of *interaction*, where interaction involves not just an exchange of words but, as the word suggests, an exchange of actions. Like betting or promising, the act of stating (or asserting) consists in uttering words (i.e. conveying meanings) to produce a social *effect*, which in this case is to make someone take whatever is said as true. Thus, every act of saying (which Austin refers to as the locutionary act) contains an act of doing (or illocutionary act), which, if successful, produces an intended result (perlocution) (Austin 1962, 94, 98, 101). Insofar as it seeks to make a social effect (i.e. alter some aspect of social reality) the issuing of an utterance is a *social act*.

The effect, however, is not guaranteed. A perlocutionary act may not follow an illocution: a statement may not be accepted as true; a promise – not taken seriously; and a bet – not count as a bet. In other words, audiences may fail to react to an utterance in the manner that the speaker *intends* and *expects* them to. As Austin (1962, 120) observes, while illocutionary acts (i.e. things that we intend to accomplish by uttering certain words, e.g. warning) are *conventional*, perlocutionary acts (i.e. what we achieve, e.g. convincing) are *not*. This seems a little peculiar, since illocution is supposed to bring about effects precisely *because* and *when* it invokes an existing *convention* and does so *properly* (see Austin 1962, 14-5). If that (invocation of convention) is what explains the *force* (Austin 1962, 120) of illocutionary acts, then perlocutionary acts *must* have something to do with convention. Otherwise, we would be justified in concluding that there is no connection between illocution and

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<sup>2</sup> My examples.



perlocution, or that illocution is reducible to locution (conveying of meaning) in those cases where perlocution (achievement of effect) is problematic, i.e. fails<sup>3</sup>. A warning is meant to convince (perlocution), rather than simply be understood as a warning (locution). A perlocutionary failure cannot be explained by opening a *gap* between illocution and perlocution, i.e. by considering one conventional and the other not. When the force implicit in illocution proves impotent to bring about desired effects (i.e. result in perlocution), it does not mean that convention has not been correctly invoked or does not exist<sup>4</sup>, rather that convention is *problematic*. Problems surface in *disagreement*, when audiences fail to accept the utterance as *right*: this may indicate the perlocutionary failure (ineffectiveness) of an utterance, but it also triggers the problem-solving process, the search for agreement.

The title of Austin's famous book 'How to do Things with Words' is not entirely accurate. The only things that we can accomplish with words are *relations* among individuals. Austin refers to those as social *conventions*, which is a somewhat misleading term since it implies an unproblematic reproduction, or *performance* of conventions (hence performative utterances). According to Austin, if words fail to do things it is because individuals fail to establish a proper relationship with an existing convention (i.e. meet conditions of felicity). This may be true of utterances used in well-established social rituals, such as marriage ceremonies, but even those indisputable conventions have a tendency to falter. A publicly delivered curse may leave a doubt in the minds of some members of the audience, and adultery is common in marriage. In both cases we are dealing with disagreement, or perlocutionary failure. Disagreement is criticism of the *claim* to rightness that every utterance makes implicitly or explicitly<sup>5</sup>. We expect to succeed in securing the social effect we desire because we believe we are right. But unless our words are met with

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<sup>3</sup> This is what seems to follow from Austin's proposal (1962, 115-6) to distinguish effects of illocution (understanding that something is a warning) from perlocutionary effects (being convinced of danger).

<sup>4</sup> Austin (1962, 14-5) calls these infringements of felicity conditions.

<sup>5</sup> Habermas (1984, 38) calls them 'validity claims'. Elaborating Austin's point (1962, 145-6) that different types of illocutionary acts invite different kinds of criticism, Habermas (1984, 325-6) identifies three categories of validity claims: truth, normative rightness and truthfulness, or sincerity. He also differentiates validity claims from power claims: the speaker's reliance on force to bring about desired social effects (1984, 325). For criticism of this distinction see chapter 5 of this thesis.

the agreement of our audiences, our rightness will remain problematic. As Austin (1962, 141) remarks, 'the soundness of arguments ... and the meritedness of blame are not objective matters, it is *alleged*' (emphasis added). Thus, every utterance faces the possibility of failure when its claim to rightness comes under criticism. The fact that claims are raised indicates that the success of utterances is *normative* success; the fact that they can be criticized reveals that the normative relationship between the speaker and audiences is *problematic*. Though rightness is crucial if words are to have social effects, the former is not a matter of unproblematic reproduction of agreement. Rather agreement is a result of attending to problems in the relationship.

## **The text and context of protest**

In the confrontational model of protest, effects of action are considered to be a matter of *probability* (contingency). Success depends partly on action and partly on the environment of action, which is beyond action's control. Therefore, lack of success does not always indicate the failure of action. By contrast, if we adopt the communicative model, lack of success will *always* confirm a failure of action, because action is inseparable from its (normative) environment. Perlocutionary failure is not a matter of probability (as Austin seems to suggest); it is a matter of disagreement. But disagreement is not a *failure*; it is a *problem* that has a solution. As a communicative act, protest seeks to achieve effects by conveying meanings, i.e. relying on shared understandings. As with other communicative actions, protest is an *uncertain* undertaking, its uncertainty exacerbated by the fact that it itself is a statement (expression) of *disagreement*, oriented though it is towards *agreement*. Insofar as it occurs in response to actions and/or words (e.g. statements of policy intentions), protest confirms someone else's perlocutionary failure. We may define protest as an attempt to secure agreement in a situation of disagreement. Hence, the most appropriate way to study protest would be not to look at it as an *event* or a set of characteristics of collective *action*, as sociologists prefer. Rather, one should look at it as a *controversy*, or a clash between seemingly *irreconcilable* understandings, which nonetheless are engaged in communication, trying to produce a *shared*



understanding. The site of a controversy is always a normative, albeit problematic, relationship.

Thus, the sole purpose of communicating disagreement (which protesters are doing) is to overcome it. But this does not seem to be a simple matter of invoking (or performing) an existing *convention* (as in cases described by Austin and Garfinkel). Conventions are recognized by few words. For example, in highly conventionalized courtroom procedures no further action (or words) is required beyond uttering a phrase ('objection') to communicate/overcome disagreement. In the event of protest, which is a much less conventional interaction, saying 'we protest' would only succeed in communicating disagreement, not in overcoming it. To overcome disagreement, protesters would have to say (and do) more. They would have to communicate agreement as well as disagreement. In other words, they would have to assert the existence of a normative relationship as well as state (and attempt to solve) problems in that relationship. This explains why protest is a much more *complex* statement (and action). To understand what protest involves (i.e. how it proceeds to resolve disagreement) we must explore the *text* of protest; we must look at what protesters *say* to their audiences and the actions they accomplish in saying. Though actions are often construed as a text, the meaning of which is to be interpreted, it is less often that text is analysed as action. In this research I have attempted to accomplish just that – analyse the text of protest as action (or, more appropriately, actions). Like any other text, the text of protest exists within a communicative *encounter* that forms part of a more lasting *relationship* between those involved in communication. Insofar as saying is a mode of relating, any communicative accomplishment (action) is part of the accomplishment (reproduction) of the relationship.

Most qualitative researchers analyse text in its *representational* function. Interview transcripts (one of the favourite texts of sociological research) are never analysed as a relationship between researcher and interviewee. The text of an interview is 'extracted' from the communicative situation that has brought it into being and treated as a *source of information* about reality beyond itself, to which it refers. Thus,

what is being analysed is the relationship between text (signs) and what the text represents (referent). The same is true of archival documents. Media texts, on the other hand, are more likely to be analysed as representational realities rather than realities represented. A researcher seeks to establish how the text *constructs* (misrepresents) reality. Though the communicative situation is assumed (texts construct reality for the potential reader, who is not the researcher), the analysis still focuses on relations between text and referent, although the former gains priority. In both cases (interview transcripts and media texts) the researcher proceeds by converting *syntagmatic* relations of text into *semantic* relations, i.e. sentences into units of meanings, such as frames or categories. In my analysis, text neither represents, nor constructs reality. It is a *message* that exists at the centre of a communicative *encounter*. A communicative encounter takes place *in* text. Text (or what is communicated) *is*, therefore, a *relationship* between the author (speaker) and the audience. Because this relationship is accomplished at the syntagmatic level, the analysis cannot proceed the usual way: by converting the syntagmatic into the semantic we will lose what the text is trying to communicate. The best way to proceed is to translate the syntagmatic structure of the text into its *illocutionary* structure.

My analytical procedure, informed by the speech act theory (Austin and Searle), involves *compressing* the total text of protest into formalized statements (or utterances) that represent *illocutionary acts*. To expose (recover) the illocutionary structure of utterances comprising the text I discard certain (minor) details of actual sentences that do not alter the communicative (illocutionary) point of a sentence. Several grammatical sentences may add up to making one illocutionary point, i.e. constitute one statement. The original text emerges considerably smaller (compressed) from the analysis: there are fewer illocutionary acts than there are grammatical sentences in a text. The entire text of protest can be reduced to a few *types* of statements (illocutionary acts), which I refer to, using Tilly's term, as the *communicative repertoire* of protest. Before I proceed to describe (discuss) the basic categories of illocutionary (social) acts accomplished by protesters through/in communication, I need to say a few words about the text of protest itself. The total

text of protest is a *composite* text, or discourse<sup>6</sup>. It consists of various texts (written and spoken messages) generated by protesters in various communicative encounters that constitute protest, and are addressed to the three main audiences of protest: the public, the authorities and the opponent<sup>7</sup>. Some of these communicative encounters have the unmistakable outward appearance of a protest event, for example public rallies or picket lines. Others have the content but not necessarily the form of a protest event. These are conventional (one may say routine) forms of public (or civil society) activism, such as indoor public meetings, conferences and publications in the press.

The texts which I analyzed in my research (and which comprise the composite (total) text of protest) are: petitions and letters to authorities, resolutions of public rallies and meetings (sent to authorities); leaflets, posters and placards, distributed or displayed at protest events or in public places; newsletters, newspapers and monographs published by the movements, articles by activists in the press, media interviews with leaders and activists; letters to the press by movement supporters; (recorded or published) speeches by activists and supporters at rallies, meetings, press-conferences and other public gatherings<sup>8</sup>. There are three main categories of authors (speakers): leaders, activists and supporters of the movement. Among the latter one can find ordinary members of the public (mainly local residents who have been affected by the problem), concerned journalists and local politicians (MPs and councillors), members of relevant governmental agencies, and finally scientists and academics (who are experts on relevant topics). Some of the texts are addressed to the authorities, others appeal to the public, and a few are meant for the opponent. Yet, despite targeting a particular group, most texts of protest are aimed at all three

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<sup>6</sup> The word discourse would be a more appropriate term if one refers to a number of texts that constitute a whole. But since 'discourse' has come to mean too many things in social sciences, it is difficult to use it without evoking various irrelevant connotations, which I wish to avoid here, especially its association with the concept of power. This is why I prefer to the word 'text'. Unlike 'discourse', 'text' also conveys the meaning of being part of a communicative encounter.

<sup>7</sup> The opponent and authorities are two separate groups of actors, though authorities are considered by protesters to have taken the *side* of the opponent, thereby neglecting their loyalties to the public.

<sup>8</sup> Some of the documents come from personal archives of movement leaders and activists. Others were obtained by searching local and central newspapers for the published material by activists and supporters. Still others were collected personally by attending movement actions.

groups simultaneously. Consider, for example, petitions and rally resolutions. Before being sent to the authorities they are communicated to the public, hence the collection of signatures under petitions, and reading out resolutions to the rally. Similarly, texts that are explicitly meant for the public, such as speeches at public gatherings, leaflets or articles in the press, are also *indirectly* intended for the authorities and the opponent. It is the *same* message that is expected to win the support of the public *and* undermine or weaken the position of the opponent and authorities.

The public may join the ranks of movement supporters (or participants), or simply ignore the protesters' message. But the other two audiences, while they are unlikely to lend their support to protesters, cannot afford simply to stay *silent* once protesters have presented their views in the public domain. The authorities and the opponent tend to respond with a message addressed both to the public and protesters. The two sides – protesters and opponent/authorities – engage in an *argument*, each attempting to draw the public to their side. The text (discourse) of protest does not exist in isolation: it provokes the counter-text, the text (discourse) of the opponent. Connected through their mutual engagement in an argument, the two discourses exist not only in response to, but also in anticipation of one another. The rival (opponent) discourse exists in an implicit form in the protest discourse. In relation to one another the two are *rival* discourses insofar as they *compete* to be accepted by the public and because both cannot be accepted simultaneously as complementary discourses. The role of the public appears to be that of an *adjudicator* invested with no *formal* authority to settle disputes but exercising a great deal of *informal* influence. Both protesters and authorities claim to speak on behalf and for the benefit of the public, and it is the public that they undertake to persuade that they speak on their behalf and for their good. We may say that the type of protest I describe takes place in what liberal political thinkers call the democratic *public sphere*, or civil society. Unlike other types of protest, notably tacit resistance, violent confrontations and conventional complaints, it attempts to achieve its aims by engaging in *public debate*, seeking to influence *public opinion*.



We may call this type of protest *citizen protest*. The three movements that I have chosen to study all fall in this category. Having emerged as reactions of sections of the public to the actual or anticipated effects of governmental policies, they aim to make (persuade) the authorities to change the policies in question by mobilizing the support of public opinion. All three exist publicly and legitimately as formal organizations and informal networks of activists, which are able to organize a wider circle of supporters to participate in various protest events, ranging from rallies and picket lines to strikes and roadblocks. Movements of this description could have occurred in any democratic polity. It is all the more remarkable, therefore, that these three have taken place not in any of the old established democracies, but in the relatively new democratic conditions of Russia<sup>9</sup>, a country which turned democratic in the same year<sup>10</sup> when the earliest of the three movements came into existence. The precise geographical location of the three movements is the Saratov region (*oblast*) on the lower Volga. All three have remained *local* mobilizations, though similar protests have occurred in other parts of the country affected by the same problems, and national movement organizations were set up as a result in two out of the three cases. The issues that brought them into being are *ethnic* tensions (caused by plans to restore the republic of Volga Germans), *environmental* risks (the safety of chemical weapons destruction), and *economic* grievances (caused by massive losses of savings through the collapse of private banks). Their starting points are, respectively, 1989, 1993 and 1995<sup>11</sup>.

## **Accusations: saying something without saying it**

Speech act theory's most ambitious undertaking and most problematic (or questionable) achievement is its classification of illocutionary (speech) acts. Unlike Wittgenstein, who never seriously considered the idea of classifying 'language games', both Austin and Searle (and later Habermas) consider this an entirely

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<sup>9</sup> New, that is, if we consider the Soviet period decidedly *undemocratic*, which may not be the case.

<sup>10</sup> In 1989 it made its *decisive* step towards democracy by holding the first semi-democratic parliamentary elections.

<sup>11</sup> Data collection took place during five months from October 1995 till March 1996. When I finished my research all three movements were still in existence.



realistic task, perhaps partly because they fail to understand speech acts as language games (i.e. grant that meaning is contextual). Social (speech) acts are considered to be classifiable in principle; i.e. prior to, and regardless of, concrete situations of social interaction. When speech act theorists make inferences about the illocutionary point (meaning) of a particular statement, they rarely derive its meaning from the social (communicative) situation in which the statement appears. On the contrary, they seem to derive the social context from the meaning of the statement, and then proceed to identify its illocutionary point by relating the statement to its hypothetical social context derived from its meaning. The result of this analysis, which does not take into consideration particular communicative contexts and social relations they manifest, is a crude reduction of complexity that taxonomies of illocutionary acts represent. Both Austin (1962, 150) and Searle (1979, 12-17) reduce the entirety of illocutionary possibilities (and all possible human relations) to five(!) illocutionary acts. In Searle's taxonomy, which is an improvement on Austin's, the five illocutionary points (acts) are: asserting that something is the case (assertives, e.g. 'It is true'); asserting one's attitude to something being the case (expressives, e.g. 'I fear it is true'); making something the case (declarations, e.g. 'You are fired'); committing oneself to do something (commissives, e.g. 'I promise'); or getting others to do something (directives, e.g. 'Mind the gap')<sup>12</sup>.

It is hard to believe that these five categories describe *all* that we may possibly want to *say* to others and all that we can hope to *achieve* by using words. If the (locutionary) act of saying is a social (illocutionary) act, then with just five categories of the latter, social life appears somewhat impoverished. Or those classifications are. The ultimate typology of social (speech) acts is an impossible undertaking, unless we are prepared to reduce illocutionary (social) acts to (locutionary) acts of saying, which is what speech act theorists seem to be doing

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<sup>12</sup> Habermas (1984, 325-6) offers an even simpler classification, choosing as the criterion not the illocutionary aim but how it is achieved (i.e. the claim the speaker raises to make the statement succeed). All statements fall into two large groups: those that exercise power/will (raising power claims; he calls these statements 'imperatives') and those that invoke social agreements (or raise validity claims). The latter are divided into three subgroups: statements referring to the objective world ('constative speech acts': invoking agreements about truth), those referring to the subjective world ('expressive speech acts': agreements about truthfulness) and, finally, statements referring to the normative social world ('regulative speech acts': invoking agreements about normative rightness).

despite claiming to be classifying illocutionary acts. Whatever their criteria, these classifications are not based on illocutionary points: one cannot conclude about the latter without considering the social (communicative) situation. Illocutionary acts cannot be identified by the meaning of words composing a sentence, as speech act theorists do. One has to situate the sentence within a communicative encounter to identify the *social* act the sentence seeks to perform. At this point we may discover that Searle's taxonomy, while a useful tool in identifying what the speaker is trying to say, is not much help if we want to understand what he or she is trying to do. It may even be misleading, since there are many more categories of action that one can accomplish by using words than those outlined by speech act theorists (based on the analysis of language rather than speech situations). Even such a narrowly circumscribed circle of social interactions as protest (which is but a tiny fragment of human experience and a separate language game) offers more possibilities for acting with words than the speech act theorists suggest all users of language have in all communicative encounters.

One of the most frequently occurring statements in the communicative repertoire of protest has the following propositional structure: 'Someone is doing [has done / is about to do] something.' The statement seems to be *naming* (describing) an *action* of a certain actor, who is not the speaker. In all available classifications of speech acts, naming action amounts to stating a fact. In Searle's taxonomy the above statement would fall under the category of 'assertives'; in Austin's it would belong in the class of 'verdictives' (statements giving verdicts); and finally Habermas would classify it as a 'constative' (statement referring to the objective world). Thus, according to speech act theorists, the intention of the speaker in this statement is to communicate a certain *truth* about reality: [The fact is] 'A is doing X'. This is what we are bound to conclude if we consider the statement outside the situation in which it has occurred, judging it only on the basis of the propositional content of the statement. If, on the other hand, we choose to consider this statement within the communicative (social) situation that has provoked it, we will begin to change our mind about its illocutionary point. The propositional content will not be affected by the inclusion of the statement into the social (communicative) situation: from the grammatical point

of view it will remain an *assertion* whatever the social context. What will change, however, is our opinion about the social action that the speaker performs by asserting a fact. In other words, the illocutionary act that the statement itself suggests and that which the statement-in-the-situation suggests will diverge. Speech act theorists have described such cases as 'indirect speech acts', where 'one illocutionary act is performed indirectly by way of performing another' (Searle 1979, 30).

The problem of indirection, however, is not so much a fact about language as a result of insufficient understanding by speech act theorists of the social nature of communicative encounters. According to Searle (1979, 31-2), indirect speech acts are understood correctly despite the possibility of confusion (given the mismatch between the propositional content and illocutionary point of an utterance), because the speaker and the hearer share background information and rationality. This may be a plausible explanation why understanding is possible, but it does not explain why indirect speech acts are effective as speech acts; i.e. why a statement can perform an illocutionary act that has nothing to do with its propositional content. Furthermore, given that there is always a speech act that directly accomplishes the action the speaker intends to accomplish, it is not clear why he or she should use a speech act that achieves this indirectly. Indirection is only a problem if we 'measure' the content of an utterance against the intentions of the speaker. If, however, we choose as the starting point not the speaker's intentions, but the (social) relationship between the speaker and the hearer manifested in this act of communication, then the problem of indirection disappears. What from the speaker's point of view may appear as an indirect way of achieving the illocutionary aim, is always a direct way from the relationship's point of view. A statement that looks like an assertion can function as something else only if there is a *meaningful* link between the propositional content and the illocutionary aim of the utterance; i.e. if the discrepancy between the two is a matter of appearance. To understand what the link is, we will have to relate the statement to its communicative (social) context.

The illocutionary point of the statement that has the structure of an assertion – 'Someone is doing [has done/is about to do] something' – will become clear once we

have understood who ‘someone’ is (how the actor named in the subject of the sentence is *related* to the speaker) and what ‘something’ is (what it is in *relation* to the speaker and the hearer). In all instances of the statement the actor named in the subject is either the speaker’s opponent or the opponent’s allies (authorities). The subject of the statement is also the direct or indirect addressee of the message. If we may substitute ‘you’ for someone, then the structure of the statement looks somewhat different: ‘You/opponent/authorities are doing [about to do/have done] something.’ Unsurprisingly, after this transformation the statement remains an assertion. But it looks like the speaker (protesters) is asserting that something is the case to someone who should *know* that it is the case, because they are the agent. In other words, protesters are describing the actions of their opponent to the opponent. As an assertion it looks peculiar, as there seems to be no need to inform the hearer about something being the case. To understand why it still makes sense to assert something to someone who knows it, we have to unpack the object of the statement, the *something*. All the actions named by the speaker have one thing in common: the speaker considers them *wrong*, i.e. that they go against shared agreements. ‘Something’ in the statement is something that the speaker does not *want* the hearer (the subject) to be doing, and believes that the latter *ought* not to be doing. Now the statement looks as follows: ‘You/opponent/ authorities are doing [about to do / have done] something *wrong*’.

The statement still remains an assertion, but now there is no mistake about *what* it is trying to assert – the fact of violation of prior agreement, or *offence*. By naming (asserting the fact of) offence (i.e. breach of agreement) we accomplish more than stating a fact: we *accuse*. The illocutionary (communicative) act that the speaker performs by saying that the other is doing something (wrong) is an *accusation*. Thus, the statement that appears to say ‘[The fact is] A is doing X’ communicates ‘[We accuse] A of doing X’. There is little point in accusing someone unless the accuser expects the accused to stop acting wrongly, repair the effects of the offence or be punished for it. The act of accusation aims to get the other to *do* something, i.e. to *change* their original course of action, which sometimes involves getting third parties to act in a certain way in order to bring about the change in the opponent’s actions.



According to speech act theorists, this type of communicative accomplishment falls into the category of 'directives' (Searle), or 'exercitives' ('the exercising of powers, rights, or influence' (Austin 1962, 150)), or 'regulative utterances' (Habermas). Since influence is exercised indirectly (by asserting the fact of offence) accusations may be described as indirect directives. The speaker expects the hearer to change their actions by invoking the latter's normative commitments. To say 'you are doing wrong' is to say (imply) 'you ought not to be doing this', or 'you must stop'. Influence is possible because 'you are doing wrong' necessitates 'you must stop'. The two are meaningfully connected: there is no *change* (or expectation of change) without *justification*. Accusation (assertion of offence) 'works' as an implicit (indirect) directive because it provides such justification.

By the same token, a direct (explicit) request is an implicit (indirect) assertion of a right (need, desert, etc.), which provides the justification for a request. Without justification (explicit or implicit) no statement can hope to be effective. Consider, for example, a statement that Searle (1979, viii) uses as an example of an indirect speech act: 'Sir, you are standing on my foot'. Here a polite request (illocutionary point) is expressed as an assertion of a fact (propositional content). In this case, however, a request is a form of protest. The statement (indirectly) communicates disagreement with a fact that it wants to change. It has the same structure as accusations, which feature prominently in the protest discourse: 'you are doing something wrong'. In both cases, the speaker attempts to discontinue wrongdoing by establishing the fact of wrongdoing. To say 'you are *doing* wrong' is to communicate 'you *cannot* do wrong, you *ought* to do right'. Thus, disagreement and agreement are communicated simultaneously. In the above statement the speaker does not explain why standing on someone's foot is wrong. He expects the other to know it, just as he knows. Reasons (justification) are not given but they are implied. A request for change is (implicitly) justified by appeal to shared, or believed to be shared, norms. Justification (even when only implied) is considered enough to make change happen, to persuade the other to correct their actions. There must be a *normative agreement* between the speaker and the hearer for an accusation to be effective or have any sense. In the absence of such agreement (if there was no norm or shared commitment to avoid



standing on other people's feet) the hearer's response to 'Sir, you are standing on my foot' could be altogether unexpected: 'Is anything wrong with it?'

In the case of a misplaced foot, the speaker expects the hearer to comply with his request because he believes that (a) the hearer regards standing on other people's feet as an offence, (b) the hearer will realise he is committing one, and (c) the hearer does not want to act offensively or to be seen to be acting offensively. If there had been any doubt on the part of the speaker concerning the outcome of his request, he may have tried to make the offence (i.e. justification for request) more explicit. Instead of simply naming the other's (wrong) actions, he may have described the *effects* of their action ('you are hurting me') or refer to the *rules* of social conduct ('you cannot stand on my foot'). This is what happens in the event of public protest, where citizens find themselves disagreeing with the policies of the state. Here, the compliance of the accused is not a matter of certainty. On the contrary, the accusations that protesters raise against the opponents are likely to be *challenged* by the latter. Anticipating a challenge, protesters cannot be satisfied by simply naming the other's actions to persuade the other to give up: they also have to demonstrate why they find those actions offensive (wrong). Accusations made by protesters tend to describe the *consequences* and *implications* of the opponent's actions. Instead of saying, for example, 'you are destroying chemical weapons near this town', they are more likely to say 'you are putting our lives at risk', or 'you are inflicting damage on the environment' or 'you are acting against the environmental law'. These are more explicit justifications for an implicit demand to abandon or revise the controversial policies.

The charges protesters bring against the opponent are at once heavier and more dubious than the light but unequivocal charge of disregarding the rules of social conduct as in 'Sir, you are standing on my foot'. The issues of chemical safety, a new autonomous republic or lost savings, which provoked recent protests in Russia, mark out contentious normative territories where right and wrong are no simple matters but are still guiding principles. Hence the significance of the role of the third party, the informal adjudicator in the disputes between the state and citizens, the *public*. It

the public that protesters have to convince more than they need to convince the opponent that the latter has committed, or is about to commit, an offence. The discourse of protest addressed to the opponent is equally meant for the public. Removed from the scene of the offence the public has to be persuaded that someone is standing on someone's foot, e.g. that the destruction of chemical weapons is endangering lives, that the new republic will discriminate against the non-German population, or that investors have been robbed of their money by fraudulent bankers. Hence a complex text, an elaborate argument and a whole inventory of accusations<sup>13</sup>. When protesters succeed in changing the opponent's course of action, it may as well be not because the opponent has agreed with protesters but because the public has agreed with them (i.e. public opinion has taken the protesters' side in the dispute). Likewise, the failure of protest is often an indication of its lack of success with the general public. The existence of this third party provides possibilities for resolving, if only temporarily, the differences between two normative understandings that claim to be one shared understanding.

## **Demands and help pleas: two modes of relating to authorities**

The act of accusation would be neither possible nor meaningful outside a normative relationship. By claiming that the other is doing wrong, protesters also claim that they and the other are related by shared understandings concerning how they are to act towards each other. The other rarely disclaims the existence of a normative relationship but may challenge the understanding of what such a relationship involves, or deny the fact of offence. Accusations offer no reasons for the other's compliance apart from their assumed normative commitments. Insofar as the speaker's expectations concerning the other's actions are substantiated by nothing but prior normative agreement, accusations represent a form of normative reasoning. The opponent's knowledge of right and wrong is supposed to motivate the former to

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<sup>13</sup> For the discussion of offences allegedly committed by the opponent and authorities see the next chapter.

change their actions. Accusing the other of doing wrong is one of the key actions in the communicative repertoire of protest: accusations feature in the discourses of all three protests that I studied, and in each of them they form the largest class of statements. In the discourse of protest, accusations are frequently accompanied (followed) by statements that constitute the second largest group after accusations. These statements formulate explicitly protesters' expectations concerning how the other is to change their actions. Like accusations, they appeal to the other's normative commitments, but whereas accusations assert what the other is doing *wrong*, these statements urge the other to do *right*. Their propositional content is somewhat similar to accusations. They also appear to be naming actions, but this time the action indicated by the predicate is that of the speaker, who is the subject of the sentence, whereas the right action expected of the other forms the object of the statement.

If accusations can be described by the formula 'You/they are doing something (wrong)', these statements assert 'We are doing something (right)'. In this case, however, and unlike in accusations, the naming of the (speaker's) action equals *performance* of the action. To say what one is doing is to do what one says one is doing. The illocutionary point of the statement coincides with the meaning of the *verb* in the predicate: the action named in it is the action performed by the statement. Not every verb, however, can perform the action it names: compare, for example, 'I apologise' and 'I watch'; the former falls in the category of performative verbs, while the latter merely describes action. To identify the illocutionary act performed by the statement 'we are doing something (right)' we have to specify the verb used in the predicate. The verb used in the statements that form the second (after accusations) largest group in the protest discourse is the verb 'demand'. 'We are doing something (right)' is in this case 'we demand something (right)'. 'Something' stands for actions of the opponent or authorities that protesters expect to bring about by articulating their demand. Therefore, the full structure of a demand statement is 'we/protesters *demand* that you/opponent/authorities do (right)'. For example, 'we demand that the issue of the restoration of the republic of Volga Germans is taken off the agenda', 'we demand that the government accepts responsibility for the collapse



of the new private banks', 'we demand a closure of the testing ground for chemical weapons'. In Searle's classification of speech acts, these statements would qualify as directives, i.e. statements that attempt to get the other to do something (Searle 1979, 12).

Demanding is a form of exercising *pressure* on the other, a way of *compelling* the other to change their actions as the speaker requires. Compulsion can be expressed grammatically: any verb in the *imperative* form would communicate compulsion. This form of directive, however, is not very popular with protesters. Short command-like statements, such as 'stop carving up Russia', 'do not deprive us of our homeland' or 'give us our money back', often constitute a text on their own and are primarily to be found on posters and placards displayed at mass protest events. Though Habermas (1984, 325) considers imperatives to be an expression of pure *power* rather than *validity*, all the above examples appear to communicate an entitlement. All of them demand that the other stops doing wrong and does right (carving up the state, depriving someone of homeland, or taking their money are understood as wrong). To utter a command is in most cases to make the *strongest* (and often final) claim to rightness. It is precisely the strength of the entitlement that enables the speaker to issue a command. The latter have the highest currency in social situations where compliance is taken for granted (e.g. in the army), or where deviance is rejected as totally inappropriate (e.g. parental authority). Unlike other command users, protesters do not occupy a position of unquestionable authority. But they too use commands to make the strongest claim to rightness. They tend to use commands at conspicuous protest events as a short and forceful way of *summarizing* their different demands. Command-like statements are intended to communicate the message *fast* (hence the terseness of such posters and placards) and to as *many* people as possible (hence the large format, to capture the attention of neutral or ignorant members of the public, as well as possibly media audiences).

In all other communications with the opponent and the public, protesters prefer to communicate their expectations with regard to the other's actions in the form of demands. Here, *compulsion* is conveyed by the meaning of the verb rather than by its



grammatical form. So is the *entitlement* to exercise compulsion. The rightness of what we do (demand) and what we expect the other to do is connoted by the word 'demand'. To say 'we demand' is to exercise influence by articulating a *rightful* expectation. The pressure that protesters exercise on the opponent and authorities by making demands is *normative* pressure. We demand that what we believe the other *owes* to us as an obligation. Where there is no certainty (or strong feeling) about the entitlement, the speaker is more likely to formulate their expectations in the form of *request* (rather than demand). A request does not carry the same weight of entitlement as demand. Protesters tend to address requests to potential allies, such as local MPs and local councillors<sup>14</sup>. What they request can be summarized as *cooperation*, which can be granted but does not constitute an entitlement. Likewise, permissions to hold rallies are requested from local authorities rather than demanded. Unlike requests, demands are used in situations where there is some kind of disagreement between the speaker and the hearer. We demand something that the other has *failed* to provide to us as our entitlement. What we expect is, effectively, a correction of offence. A demand, therefore, is often an expression of protest. Thus, as individual employees we may request a pay rise if we believe we deserve it; as a collectivity (protesters or/and union members) we are likely to demand it when we think it is long overdue.

Whereas commands assert *authority*, and requests formulate entitlement as a *need*, demands assert a *right*. Yet though they demand nothing more than they believe they are entitled to have, a demand does not guarantee a positive response from the hearer. In fact, their right is very likely to be questioned. Like accusations, demands communicate agreement while simultaneously confirming the existence of disagreement. As a mode of implementation of justice, they are far less effective than commands are as a mode of execution of authority. Both requests and commands are used in situations of relative normative certainty, where the other's response is unlikely to present a problem. Demands, on the other hand, are used often in the knowledge that the other is unlikely to agree. Demanding is a form of acting out normative disagreement, a way of addressing problems in the normative relationship.

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<sup>14</sup> 'We ask (*prosim*)' as opposed to 'we demand (*trebuiem*)'.

This might explain why protesters prefer to formulate their expectations towards opponent and authorities as demands. The range of demands they put forward is impressive: from specific actions in the locality to widescale changes in government policy and legislation. 'We demand' has the added weight of being an expression of *collective will*. The *we* of 'we demand' is not the *we* of existing collectivities, such as communities of local residents, but the *we* of protest collectivities, for example *participants* in a mass rally<sup>15</sup>. It is a community of *actors*, rather than a community of those concerned or affected by a problem, that articulates demands. A public rally is an institution of collective decision-making, the climax of a rally being the passing of a resolutions or petitions<sup>16</sup>, which are read out and voted for before they are sent to the authorities. As an outcome of collective decision, 'we demand' suggests 'we collectively decide to demand'.

It takes a transformation of collective identity, achieved through participation in an organization (movement) or action (rally), to create a collective will that can demand things (actions) from the opponent. The overwhelming majority of protest texts form part of larger protest events: their authors are activists or participants in protest actions (consider speeches at rallies, movement manifestos, rally resolutions and petitions endorsed by collective protest gatherings). However, a small proportion of protest texts exist outside events and organizations of protest. They constitute events in their own right insofar as an attempt to communicate a concern represents a protest event. In such rare cases, protest *coincides* with a text: the authors of a protest statement form no *protest collectivity* outside the text, such as a collectivity of movement activists or participants in a rally. In protest they continue to be what they have always been; no transformation of collective identity occurs. Speaking from their *everyday* identities of local residents, mothers or medical professionals, they represent the collective voice of the affected or/and those concerned by a problem. This voice is far less assertive than the voice of organized protesters. Unlike the

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<sup>15</sup> *Meeting* in Russian. Public rallies became popular in Russia as a form of protest in the late 1980s during perestroika, which legitimated independent citizen activism. Demonstrations are still less popular with protesters, perhaps because of their associations with the Soviet past, when demonstrations were compulsory staged celebratory manifestations of collective solidarity and support for the authorities.

<sup>16</sup> In Russian, *rezolutsia* and *obrashchenie*.

latter, it is not an expression of collective will but a statement of collective *anxiety*. Demands ubiquitous in other texts of protest are very rarely to be found in these texts, which exist independently of organizations or actions of protest. Expectations addressed to the other (authorities) take the form of *help pleas*. Whereas demands assert a right, help pleas communicate a *need*, rather like requests, though in this case the need is much more *extreme*. The structure of a help plea differs considerably from the structure of requests or demands. It represents a (fairly long) description of *grievances* followed by an explicit cry for help.

Consider the following (composite) statement:

"We, mothers of the town of Gorny, lose our children to a terrible weapon that slowly kill everything alive ... our town is dubbed 'the town of the doomed' ... many local residents suffer from skin sores that are hard to cure and diagnose ... our health is deteriorating each day ... every nine out of ten children in the town have serious health disorders ... we cannot get decent medical help ... many of the residents are unemployed, those who work do not get paid their meagre wages for months on end ... we cannot provide good diet or medical examination for our children ... we are in a state of confusion and despair ... all we can expect is slow and tormenting death ... we have become the first hostages and victims of this death-carrying weapon ... who will help us to stop this insanity?"

What protesters are effectively saying is 'we are enduring [undeserved/unjust] hardships; help/save us'<sup>17</sup>. Wrong here equals *grievance* rather than *offence*; injustice is not the other's *act* of transgression (going against the rules), but the adverse *condition* that one is made to experience as a result of someone's actions. Whereas the act of wrongdoing (*offence*) can be abstracted from concrete situations (i.e. considered in relations to rules), *grievance* constitutes a much more *personal* experience, which does not permit such an abstraction. An account of *grievances*, therefore, has to be much more evocative in order to be persuasive than a mere description of *offence*. To establish the *fact* of *grievance* the speaker has to engage the audience's *feelings*; i.e. to make the audiences empathize with the speaker's condition, which is not (necessarily) the case when one sets out to establish the fact of *offence*. Wrong is depersonalized: there is no villain in the above example apart

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<sup>17</sup> On 'composite speech acts', i.e. sequences of speech acts that can be interpreted as one speech act, see Van Dijk (1977, 215).

from the impersonal 'weapon', which seems to be the cause of the problem (suffering). The measure of wrong is the degree of suffering rather than the degree of deviation from rules. The violation of rules (social norms) is implied rather than clearly stated. Protesters are not so much angered by the act of wrongdoing as saddened and distressed by what they have been made to endure. They talk (or, as in this case, write) from a position of despondency and helplessness. Theirs is not an outcry of righteous indignation, but a desperate cry for help. This implies a different kind of relationship between the speaker and the hearer. Whereas demands and accusations construct the other as the *offender*, in help pleas protesters present the other as their *protector*, someone who can deliver them from suffering, punish the offender and exercise justice.

There is only one figure in contemporary Russian politics judged suitable for this role – the President of Russia; help pleas are to be found in petitions addressed directly to the President<sup>18</sup>. Being the highest and most powerful authority in the land, the President both commands enough power to be able to stop/punish the offender, and is perceived as sufficiently removed from the day-to-day business of policy making to be directly blameable (i.e. not responsible) for the injustice. On the other hand, the lack of power or involvement in decision making that has caused the injustice prevent other branches of authority (such as the parliament, the government and regional administrations) from being chosen for the role of the protector. Appealing to authorities for help and protection has a long history in Russia going back to the time of the feudal monarchy, when collective petitions (*proshenia*)<sup>19</sup> and complaints (*zhaloby*) to higher-rank authorities were the only legitimate forms of protest. Like contemporary protest texts that employ the language of help pleas, pre-revolutionary petitions are addressed to an authority figure placed well above both the protesters and their opponents, the lower-rank authorities on whom grievances

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<sup>18</sup> This does not mean that *all* appeals to the President take the form of help pleas. The latter constitute a tiny fraction of the protest discourse. Demands and accusations, which dominate the discourse, are addressed to all manner of authorities, *including* the President.

<sup>19</sup> Unlike the modern Russian word for petition, *obrashchenie*, meaning appeal or address, the word for petition used in pre-revolutionary Russia, *proshenie*, means a formal request addressed to someone in authority.



are being blamed<sup>20</sup>. Despite the distance in time dividing them, contemporary petitions are structured in a broadly similar way to their pre-revolutionary counterparts. Both provide a detailed and evocative account of *grievances* suffered by protesters, interspersed with *complaints* against those middle and low-rank authority figures that have caused them, and concluded by an explicit *plea* for help. Complaints resemble accusations insofar as they say ‘someone is doing (wrong)’; unlike accusations, however, they are not addressed to the person who is accused of doing wrong, i.e. complaints never say ‘*you* are doing (wrong)’, but always ‘*they* are doing (wrong)’. Also, the wrong of complaints is about inflicting grievances rather than violating formal norms.

A plea for help was a much more common expression of protest in 19<sup>th</sup> century Russia than they are in the 1990s. It is confirmed for example by the fact that petitions under the old regime have a broader scope of addressees in comparison with those written in the late twentieth century, when demands became the dominant mode of protest. The rise of the modern form of protest, associated with a democratic political environment, has left an impact on contemporary petitions for help. The latter communicate *despondency* (need) without simultaneously communicating *submission* – unlike the nineteenth-century petitions, which indicate quite clearly the subordinate (humble) position of protesters, who ‘humbly dare to ask’, ‘prostrate themselves at the feet of the Sire’, and ‘mean no insolence’<sup>21</sup>. Demands would be out of place in this discourse: one cannot demand anything from a person who one chooses to address as Sire (Your Excellency, Your Majesty, Highly Noble Masters, Our Gracious Sovereigns and Fathers)<sup>22</sup>. Even when, towards the end of the 19<sup>th</sup> century, the concept of *rights* (entitlements) enters the broader political discourse, protesters continue to assert their rights as their *needs*, and the denial of rights as *grievances*. The most notable example is the 1905 petition of workers and residents of St. Petersburg to Tsar Nicholas II, which marked the beginning of the first Russian

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<sup>20</sup> See, for example, an extensive collection of 19<sup>th</sup> century workers protest petitions in: Pankratova, A. (ed.) 1955. *Rabochee dvizhenie v Rossii v 19 veke, Vol. 1: 1800-1860 Volnenia krepostnykh i volnonaemnykh rabochikh*. Moskva: Gosudarstvennoe izdatelstvo politicheskoi literatury.

<sup>21</sup> Examples taken from texts of petitions in Pankratova (1955, 144, 187, 190) and Harcave (1965, 287).

<sup>22</sup> Harcave (1965, 285) and Pankratova (1955, 144, 187).

revolution (though it remained unread). The authors of the petition appeal to the monarch for 'justice', 'protection' and 'help'. Describing themselves as 'oppressed', 'humiliated' and enduring 'intolerable suffering', they present a comprehensive list of 'requests', which include 'immediate declaration' of freedoms as well as 'measures to eliminate ... poverty ... [and] the tyranny of capital over labour'<sup>23</sup>. Although they are explicitly presented as *needs*, the substance of those requests suggests recognition of their *entitlement*.

The 1905 petition combines features of a *petition* pleading for help with properties of a *manifesto* of a political/social movement, which requires a developed (or developing) political public sphere. In the 1905 petition, the old *paternalist* political tradition meets the emergent *democratic* one, where the state is perceived as the guardian of rights and freedoms (as *abstract entities*) rather than as a strict but benevolent authority protecting individuals in the old sense, in their *totality* as individuals. Help pleas occur within a paternalist relationship, which constitutes a specific *type* of a relationship of dependency/ protection. By contrast, demands require a *contractual* relationship of exchange of obligations traceable to a prior *articulated* agreement, which describes a relationship between the modern democratic state and its citizens. In this normative relationship, *equality* is posited despite the awareness that positions of parties to the contract remain unequal: modern democratic citizenship continues to be a relationship of subordination (authority/compliance). No equality is permitted, on the other hand, in the (paternalist) normative relationship exemplified by help pleas; which, likewise, is a relationship of subordination (authority/compliance). The difference between the two relationships is the difference between *conditional* and *unconditional* submission. Whereas in Russia sovereignty was exercised as *ownership* (Pipes (1974, 22-23) calls this a 'patrimonial regime'<sup>24</sup>), in medieval Europe the relationship between the sovereign and the people was perceived by many as a *contractual* one (Kern 1956, 77-78; Bloch 1961, 451; Moore 1967, 415). The conditional nature of obligation

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<sup>23</sup> The text of the petition is quoted from Harcave (1965, 285-289).

<sup>24</sup> Defined as 'a regime where the rights of sovereignty and those of ownership blend to the point of becoming indistinguishable, and political power is exercised in the same manner as economic power' (Pipes 1974, 22-23).

entailed the *right of resistance* for the subordinate member in the relationship: an entitlement to protest (withdraw compliance) when the other has failed to fulfil their obligations (of protection) (Kern 1956, 82-85; Bloch 1961, 452; Moore 1967, 415)<sup>25</sup>. In Russia, where submission to one's lord/sovereign was total and unconditional, 'the right of resistance' was the right to appeal for help.

This tradition continued after the fall of the monarchy in 1917. The new regime retained some features of the old *paternalist* authority, although the relationship between the latter and the public had evolved into a *pastoral* one<sup>26</sup>. In the new society, people were elevated from being their ruler's subjects into the position of the sovereign, but their sovereignty was counterbalanced by their *subordinate* position in the relationship with the (communist) party/ideology, in which their role was to be led (and guided) towards their own ultimate benefit<sup>27</sup>. Though their rights as sovereigns were inscribed in the Constitution, those rights were never *disconnected* from the party that granted them and vowed to guarantee them in practice. Their sense of citizenship was secondary to their identity as members, supporters and beneficiaries of the party, which, in attempting to *mobilize* society<sup>28</sup> for the attainment of its goal (communism), penetrated the state and encompassed the public sphere<sup>29</sup>. The authority of the party over society was as complete as once was the power of the monarch over his (or her) subjects. But more importantly, perhaps, the relationship between the authorities and the public retained its character of a protection/dependency relationship, where authorities were perceived as at once strict and benevolent. In a society where protest was restricted to institutionally provided channels and issues compatible with the direction in which the whole society was moving (or being led), *complaining* to all levels of the Soviet and party

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<sup>25</sup> Consider the following extract from the medieval Aragonese oath of allegiance to the king: 'we who are as good as you and together are more powerful than you, make you our king and lord, provided that you observe our *fueros* and liberties, and if not, not' (MacKay 1977, 105).

<sup>26</sup> On 'pastoral power' see Foucault (1982, 213-14), who saw it as a relationship of guidance and protection, like the power of pastor (shepherd) over his flock (parish).

<sup>27</sup> The Soviet Constitution (article 6) defined the role of the party as 'the leading and guiding force of the Soviet society'.

<sup>28</sup> Some Sovietologists saw this as the central feature of the Soviet polity, defining the latter as a 'mobilization regime' (Lowenthal 1979, 35) or 'movement-regime' (Tucker 1971, 7).

<sup>29</sup> Though the state never became truly identical with the party, as some commentators on Soviet society suggested. See, for example, Poggi (1990, 150-51), Fehér, Heller & Márkus (1983, 160), and Linden (1983, 40) among others.



authorities (including departments specially set up to deal with complaints<sup>30</sup>) and the press (organs of the state and party organizations) was arguably the most popular form of protest<sup>31</sup>. Though they tend to be more assertive than their predecessors under the old regime, they too appeal to the authorities for help and protection, presenting their needs as *requests* (rather than demands)<sup>32</sup>.

Demands (as opposed to requests) are associated with a particular form of protest, which did not become available to Soviet citizens until the late 1980s, when reforms initiated by the party leadership succeeded (beyond their expectations) in re-establishing two institutions absent from the Soviet polity, the institutions of *political opposition* and (independent) *public sphere*. It was not until public disagreement was legitimated and institutionalized that collective social mobilizations openly (i.e. *publicly*) *challenging* government policies (or actions of other social agencies) became a *routine* (legitimate) form of protest in the Russian context, and 'we demand' came to prevail over 'we plead for help'. Unlike occasional grassroots mobilizations in the Soviet period, which took the form of constructive civic initiatives or underground movements of political dissent, post-1989 movements<sup>33</sup> favoured confrontational *pressure* politics, which could be described as a position between those two extremes, *combining* features of cooperation and opposition. It is this combination that accounts for the 'we demand' of democratic pressure politics. Despite (or possibly because of) their confrontational stance, these protests are *consistent* with the democratic system that generates them, which holds true whether we choose to view them as natural and *intrinsic* to democracy or as indications of *failures* of the democratic system. By the beginning of the 1990s the relationship

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<sup>30</sup> Such as, for example, the Bureaus of Complaints (*Biuro Zhalob*), a branch of the Committees of People's Control, a Soviet watchdog organization.

<sup>31</sup> For discussion of letter writing in the Soviet Union, see White (1983) and Adams (1981).

<sup>32</sup> Even those who resorted to (illegitimate) disruptive forms of protest, such as strikes or mass gatherings (usually interpreted as challenge to authorities), very often chose to petition authorities and presented their case in the most loyal terms. See, for example, 1969 Appeal (*obrashchenie*) to the Central Committee of the Communist Party from residents of the town of Vyshgorod in Ukraine (reproduced in Haynes & Semyonova 1979, 81-86), who 'ask' the party to send in a commission to investigate 'violations of legality' by local bosses, while insisting that they are 'no rebels', that they 'believe in the leaders of the country' and ask the latter to believe in them.

<sup>33</sup> The resurgence of (independent) social movements in the Soviet Union in the late 1980s is well documented by Western scholars (see Hosking 1990, Sedaitis & Butterfield 1991, Pearce 1991, Gordon 1991, Hosking, Aves & Duncan 1992, Dawson 1993).



between the authorities and the public in Russia had undergone radical transformation: it had ceased to be a relationship of protection/dependency and had become one of (problematic, or questionable) *representation*. Despite this, the old mode of relating to authorities continues to exercise influence over some sections of the contemporary Russian public, who hold the leader of the country (President) as a paternal authority figure to whom they can appeal for protection from all sorts of lower-rank villains.

## **Declaring, prescribing, exonerating and protesting**

Writing about protests in eighteenth century England, E. P. Thompson (1991, 212) notes the discrepancy between the normative relationship that gives protest its legitimacy (the *paternalist* model of economic relations, or moral economy) and the normative relationship manifest in their choice of action (the *direct* action, i.e. enforcing laws that authorities have failed to, which breaks with paternalism). The moral economy of the English crowd (direct action) was closer to the new political (*laissez-faire*) economy, which it challenged, than to the old (paternalist) moral economy, which it sought to protect. As the (normative) relationship was changing, so was protest. Unlike help pleas, which are consistent with the paternalist relationship of dependency/protection, which they reproduce more or less unproblematically, direct action modifies the nature of the paternalist relationship. Unlike help pleas, it claims *authority* that the other member of the relationship (the authority) has failed to exercise as a matter of obligation. It is an attempt to act *instead* of the authority, temporarily replacing the latter in order to preserve the relationship. Yet, in attempting to *protect* the relationship (against the other's failure), direct action succeeds in *transforming* it (even if only temporarily, for the time of protest only) by reversing the roles within it. In eighteenth century England, the direct action of the crowd confirmed the permanent change of the old model of economic relations. Direct action has more affinities with the demands/accusations mode of protest than with protest by help pleas, but it is different from both. As its name reveals, it effects the desired change *directly*, i.e. by themselves, unlike the other two modes of protest, which expect the changes to be effected by the other

member of the relationship as part of their *obligations* as members in the relationship.

Despite its association with *doing* (rather than saying) things, direct action can be accomplished *communicatively* (by uttering words and conveying meanings). Some statements in the discourse of protest neither *assert* the fact of wrongdoing (like accusations), nor undertake to correct wrongdoing by *influencing* the other's actions (like demands and help pleas). Instead, they attempt to *effect* a certain social reality directly. Like speech acts that perform social rituals, such as marriages, baptisms, bequests and denunciations, these statements bring into existence social facts (conventions). Consider, for example, the following statements: 'we declare this territory an inseparable part of the Saratov region and the Russian Federation' and 'we declare the former republic of Volga Germans ... an unlawful formation'. These statements attempt to *make* something the case by *declaring* it to be the case. In Searle's classification of speech acts, they would fall into the category of 'declarations', or statements that intend to 'bring about the correspondence between their propositional content and reality' (Searle 1979, 17). What protesters *declare* is also what they *demand* from authorities (though not just any demand can be made into a declaration); but whereas demands leave it to the authorities to act as they ought (even though they have failed in this), declarations attempt to *exercise* authority. This, however, is problematic. Protesters do not have the recognized (legitimate) authority to effect *normative* reality as they attempt to when they say 'we declare something to be the case'. If the reality they are trying to effect is to be considered normative (binding) by others, they must successfully claim an authority that they do not have. Otherwise the normative reality would simply not *materialize*. The others would fail to consider the social facts that declarations are trying to bring into existence to *have been* brought into existence.

But even the most problematic declarations succeed in creating a *problematic* normative situation. Even if protesters fail to persuade everyone to accept what they have declared as an existing normative reality, they will nevertheless have managed to undermine the validity of the normative reality that their opponents (authorities)

are trying to bring into being. A normative standoff results where each side puts forward a claim to (normative) authority while challenging the other's (rival) claim. Protesters' claim to authority may have problematic validity, but their opponent's claim remains equally problematic for as long as protesters pursue theirs. Both claims draw their legitimacy from the same source: the principle of representation of the popular will. Like central authorities, who act in their capacity as representatives when legislating the restoration of the republic, protesters too claim to represent popular will when they pass declarations against this republic. Though declarations can claim legitimacy by virtue of being an expression of collective will (the will of a collectivity of protesters), in this case protesters act not only as self-appointed representatives but also as a legitimate decision-making agency. Both declarations quoted above were passed in a session of the local council, i.e. by elected representatives of the people. Furthermore, they draw on the results of a referendum initiated by protesters and conducted by local authorities, where about 80% of the local population (with an 85% turnout) voted against restoration of the republic. Referendum itself is an example of direct action that challenges the legitimacy of the opponent's position. Declarations, however, are not the most popular form of (communicative) action. Of the three movements only one resorts to declarations: the one that commands full support of the *local* authorities as well as the local population, while taking the most uncompromising position in relation to their opponent (and central authorities).

If declarations denote *confrontation* (much like demands and accusations do), the next group of statements assert *solidarity* over confrontation (which brings them closer to help pleas). But whereas declarations and help pleas are both relatively rarely used by protesters, these statements are fairly common in the discourse of and around protest, though still significantly less common than demands and accusations. One would run into difficulties, however, trying to describe them using Searle's taxonomy of speech acts (1979, 12-17). One could classify them as both 'assertives' (statements that 'commit the speaker to something being the case') and 'directives' (statements that seek to 'get the hearer to do something') (Searle 1979, 12-13). But they would also fit into the class of 'commissives', statements that 'commit the

speaker to some future course of action' (Searle 1979, 14) - even though in this case they seek to commit the audience rather than the speaker, or, more precisely, the speaker and the audience together. Consider, for example, a statement that says 'the military *must* not be in charge of the destruction of chemical weapons'. The statement *asserts* (the truth of) a certain normative fact, i.e. that it is wrong for the military to preside over the destruction of chemical weapons. Yet in doing so it also *prescribes* a certain course of action for the military (i.e. attempts to change their actions) while prescribing it to the rest of us (the public) as the normative reality to be accepted and enforced. The speaker tries to *commit* the other to a certain course of action (giving up command over the destruction programme) by describing that course of action as their obligation, or normative commitment. What this and other statements in this group effectively say is 'it *ought* to be the case that (something is done differently)'.

Insofar as they all share the prescriptive 'ought' element, which may be expressed differently in the actual sentences (they/we must do, there must be, one can't, it is wrong to, one should, it is necessary that), they can be defined as *prescriptives*, or *ought- statements*. Consider other examples: 'we ought to make the authorities hear our voice'; 'one can't restore the republic if more than 90% of the population are against it'; 'it is unjust to give sovereignty rights to one nation while discriminating against others'; 'it is up to people themselves to decide their destiny' (about a referendum); 'we must fight nationalism'; 'it is necessary to create a legal base before practical work on the destruction of chemical weapons can begin'; 'chemical weapons must be destroyed'; 'the authorities must declare the former republic unlawful'; 'all information on destruction technologies and measures to protect the environment must be made accessible to the public'. When we say that something *ought* to be the case, we postulate a discrepancy between reality as it is and reality as it ought to be, and suggest closing the gap between 'is' and 'ought', between reality and our *normative expectations*. Like many other statements in the discourse of protest, 'it ought to be that Y', asserts a normative truth (agreement) in the face of actual or anticipated *opposition* (disagreement). Something that ought to be the case (Y) represents our collective normative commitment, something we all agree to



accept as a norm. But although it is presented as a normatively required choice, there is no definite norm that we could *cite* to confirm (determine) that it indeed ought to be so. 'It ought to be that Y' is not *derived* from a norm (or *refers* to a norm). It is a norm itself in its problematic (contested) status within the context of argument and disagreement.

'It ought to be the case' is a *judgement* on the norm. One could argue that social norms are mostly judgements (i.e. problematic and disputable understandings that nonetheless assert themselves as indisputable and unproblematic). Not only is 'it ought to be' fallible as a judgement, it also is inconceivable outside the framework of real or anticipated opposition (i.e. rival judgements). Validation of normative judgements involves referring to other norms (more problematic understandings), precedents (past or present practices), and utility evaluations. Ought-statements belong in the *deliberative*, rather than *adjudicative*, category of normative discourse. They are much more common, for example, in texts addressed to the *public* (potential supporters) than in texts aimed directly at the authorities (opponent). When it comes to communicating their expectations to the authorities (opponent), protesters prefer to formulate them as demands rather than prescriptives (ought-statements), despite the fact that ought-statements convey a greater sense of normative rightness and appear to be much more assertive. Most ought-statements occur in *press* (media) discourse (texts written by movement activists and sympathizers as well as texts by their opponents), a discourse that tends to be more deliberative in comparison with a discourse with the authorities. A significant proportion of ought-statements specify a course of action to be taken by protesters and their potential supporters (by whom they mean the entire public). 'We ought to do so and so' identifies protesters and the public as the *same* collective entity. It is (predictably) rarely that protesters use 'we' to refer to themselves and the authorities. Yet this sense of common identity with the opponent is not entirely absent from the discourse of protest. Many impersonally-formulated ought-statements ('it ought to be Y') convey the same sense of *collective* undertaking, rather than one which divides protesters and their opponent, as do demands and accusations.

Of all the statements in the discourse of protest, ought-statements demonstrate most unequivocally that protest is about *agreement*, that solidarity *against* the opponent is a specific case of solidarity *with* the opponent (i.e. that though solidarities exist within conflict, the latter itself is a product of solidarity). Most statements that apparently communicate disagreement (e.g. demands and accusations) are premised on the existence of agreement between protesters and their opponent. Without this agreement they would not succeed in communicating disagreement. To put it simply, disagreement is always about agreement. Ought-statements differ from the rest insofar as they are statements of *agreement*, albeit premised on disagreement, whereas the others are statements of *disagreement* that assume agreement. Unlike the other statements, which leave agreement in the premise, ought-statements explicitly articulate normative agreement and in so doing assert (normative) solidarity with the opponent more forcefully than, perhaps, any other statement in the protest discourse. It is by asserting normative agreement (in 'it ought to be') that protesters manage to communicate (implicitly) their disagreement with the opponent's actions. But ought-statements need not always assume a disagreement to overcome. Protesters also use ought-statements when they want to influence actions of their supporters and allies, the public. Solidarities here may be less problematic but they are not entirely without problems either. Both 'we must defend our rights' and 'they should not be in charge of the destruction of chemical weapons' set out to overcome disagreement by asserting agreement (the difference is in the degree of disagreement expected). Assertion of agreement seems to be intrinsically (or in most cases) problematic, i.e. involves the overcoming of disagreement. Even in those *few* cases, when ought-statements express nothing but *agreement* with the opponent's actions, these statements are premised on disagreement, which they seek to overcome.

Consider the statement 'chemical weapons must be destroyed'. While it may look like any other ought-statement, it differs from most in that it does not postulate a discrepancy between reality as it is and reality as it ought to be. Unlike most other ought-statements, where the speaker asserts that something ought to be the case knowing that it is not the case (e.g. 'chemical weapons must be destroyed *safely*'), here the speaker claims that something ought to be the case, knowing that it is the

case already. Destroying chemical weapons is just what the opponent is doing (or preparing to do). And according to the statement, this is also what they ought to be doing. Incredibly, protesters appear to be saying that the opponent (someone with whom they disagree) is doing the right thing (with which they agree). They seem to be asserting *agreement* instead of communicating disagreement, as one would expect of protest. It is important to note, however, that they communicate agreement as a *shared* normative commitment, just like they choose to communicate disagreement (when they assume a discrepancy between 'is' and 'ought'). When they state that chemical weapons must be destroyed, protesters expect the others (the opponent and the majority of the public) to agree with the statement. In other words, they assert that something ought to be the case knowing that *most* people think that it ought to be the case. It may look as if protesters are pledging *support* for the opponent's actions, but in fact they are trying to affirm their *commitment* to an understanding shared by the majority of the public (and the opponent), namely that chemical weapons ought to be destroyed. What looks like a statement of *agreement* seeks to communicate that protesters do *not* completely *disagree* with the opponent, *contrary* to what the others might think.

While appearing to be saying '(we agree that) chemical weapons must be destroyed', protesters mean to say 'it is not true that we do not agree that chemical weapons must be destroyed'. Once again, by insisting that they agree with the opponent (share a normative understanding) they mean to overcome disagreement, although in this case it is not disagreement over the opponent's actions but the protesters' own actions, or the way they are perceived by the public and the opponent. Subject to criticism from the opposition (which takes the same form as protesters' criticism of their opponent, i.e. presents itself as the more valid/right position), protesters have to *exonerate* themselves from accusations (not unlike those they themselves make against the opponent) that they are doing something *wrong*. Opposing something that everyone else supports (and believes to be the right thing) is just that kind of false accusation, misrepresenting or misinterpreting protesters' actions, that they are keen to defend themselves against. The only way to answer accusations of doing wrong is to reassure the public that one is not doing that, i.e. not doing wrong. Thus, defence

takes the form of *qualifying* disagreement by *agreeing* with some elements of the opponent's position. Paradoxically, such partial endorsement of the opponent's position makes protesters' position against their opponent stronger, because the closer their position is to that of their opponent, the more difficult it is for the latter to reject it as wrong. It is important to note, however, that whenever protesters *agree* with their opponent they do it by way of *stating* (clarifying) their own *position*, which *happens* to coincide with that of their opponent. In other words, they communicate 'we agree' (or 'we do not disagree') as 'we believe'.

Thus, the statement 'chemical weapons must be destroyed' can be read as a *credo* statement (we *believe* that 'chemical weapons must be destroyed') and as a statement of *common ground* (we *agree* with the opponent that 'chemical weapons must be destroyed'). It also is an *exonerative*<sup>34</sup>, or defence, statement (we *do not disagree* with the opponent that 'chemical weapons must be destroyed'). It at once seems to express protesters' beliefs (position, or *credo*), outlines the overlaps in the two positions (common ground), and attempts to refute accusations that protesters are doing something wrong (exoneration). In the above statement all those three meanings remain implicit, but in most other statements in this group at least one of the three meanings would be expressed explicitly. Some of these triple-function statements look unmistakably like *credo* statements ('we believe in' something right). Others express support or approval of the opponent's actions ('we support' something right or 'we approve of' something right). Still others assert that protesters are not doing anything wrong ('we are not against' something right). Consider the following examples: 'we believe in the equality of rights and opportunities for all ethnic groups', 'we support the destruction of chemical weapons', 'we believe in civilized ethnic relations and inter-ethnic solidarity', 'we approve of the political rehabilitation of ethnic Germans', 'we understand the importance of the destruction of chemical weapons', 'we are ready to facilitate political and cultural rehabilitation of ethnic Germans', 'we are not against ethnic Germans but against the republic'. In Searle's taxonomy of speech acts, *credo* (which also are common ground and

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<sup>34</sup> On exoneration as genre of explanation (accounts meant to justify or excuse the speaker's behaviour when the latter is faced with accusations), see Austin (1979, 175-177) and Antaki (1994, 43-44).



exoneration) statements would fall in the category of 'expressives' (1979, 15), their point being to communicate the speaker's beliefs, attitudes and intentions (or other 'psychological states') to an audience, satisfying the latter that this is what the speaker *sincerely* (truly) believes or feels about something.

As I have indicated at several points in this discussion, agreement and disagreement exist inseparably in the discourse of protest. Agreement explains disagreement and is also used as a resource for resolving disagreement. Disagreement is considered problematic within the circumstances of agreement (a problem to be solved), although agreement for the most part is problematic too, except in those few cases when protesters attempt to qualify disagreement (but even here disagreement seems to be the circumstance that has prompted protesters to assert agreement). Ought-statements, which play so prominent a part in protest discourse, attest better than any other statements to the close connection between agreement and disagreement, and the normative nature of both. In all instances of their usage ought-statements communicate normative agreement: 'it *ought* to be that something (*right*)'. But although they share the same basic propositional structure, ought-statements can accomplish different illocutionary tasks. In most cases the point will be to *overcome disagreement*: 'you ought to do something that you are reluctant to do'. In other cases, it would be to *confirm that there is no disagreement*: 'you ought to what you are doing'. Finally, some ought-statements seek to *mobilize more people to join protest, i.e. disagree* with the opponent: 'we ought to protest'. Thus, 'something (*right*)' in 'it ought to be that something (*right*)' variously refers to lack of disagreement (unproblematic agreement), disagreement (protest) and overcoming of disagreement (currently problematic agreement). Protest (disagreement) is considered to be something that can help to overcome disagreement with the opponent, to persuade the latter to stop doing wrong. Hence, the *normativity* of protest (disagreement): 'we ought to protest'. But though protest is presented as the *right* thing to do, it is not considered right *in principle*, rather right *given the circumstances* (of disagreement, the opponent doing wrong).

To put it another way, protest is the *right* thing in the *wrong* circumstances. It is right insofar as the circumstances to which it attends and which it tries to rectify are wrong. For that same reason protest is also considered regrettable and unnecessary, in short *wrong*. It is wrong insofar as it cannot help being *part* of the conflict that it is also trying to *overcome*. This explains why protesters simultaneously *endorse* and *condemn* conflict. 'We ought to protest' statements are qualified elsewhere in protest discourse by statements declaring that 'there ought to be dialogue and cooperation, not conflict and confrontation'. In other words, while they are encouraging more people to take their side in the conflict, they are also saying that there ought not to be conflict, or that they would rather they did not have to protest. Consider the following statements: 'rallies and pickets *cannot solve the problem*, the solution must be found through *joint efforts* of the government, local authorities, financial and legal structures and public organizations', 'destruction of chemical weapons must be the subject of *joint discussion and decision making* by federal and local authorities, ministries, non-governmental organizations, the public and the leading Russian and foreign experts', 'Russians and Germans who live here should be *working together* to improve the welfare of the Volga region', 'we are in danger of repeating the sad experiences of the past, when a great deal of material resources and human efforts were *wasted on confrontation* rather than on making *constructive*, even if small, steps to find a solution to the chemical weapons problem'. Thus, far from celebrating protest as a triumph of direct democracy (or civil society), protesters are keen to appear as *reluctant* rebels regretting having to engage in conflict despite seeing it as the only way to overcome disagreement (rectify a wrong).

The action of protest, at once *promoted* and *exonerated* by activists, is essentially a *communicative* accomplishment. As I argued earlier in this chapter, to protest is to communicate (rightful) disagreement. Most statements in the discourse of protest, as I have tried to show, are doing just that. 'We demand' (like 'we accuse' or 'we ask for help') communicates disagreement while attempting at the same time to overcome it by (implicitly) communicating agreement. There are some statements, however, which unlike the rest are doing *only* that: communicate disagreement. They neither demand, nor accuse, nor appear to be *doing* anything else apart from

*protesting*. Consider the following statements: 'we, local residents, *are against* the programme proposed by the government' or 'we *say our firm 'no'* to the German autonomy on the Volga' or 'we have gathered here to *express our indignation and state our protest* against the inaction of the government, which has failed to protect our rights'. What protesters seem to be saying here is 'we *protest* against (you/ an opponent doing wrong)'. It seems appropriate, therefore, to call them *protest statements*. Unlike 'we ought to protest' statements, a call for action addressed to the public, protest statements are to be found in communications with the opponent, namely authorities. 'We protest' is meant neither to *describe* what protesters are doing ('we say no', 'we express indignation') nor simply *express* their attitudes and thus persuade their audiences that this is what they truly feel or think about the opponent's actions. Rather, the point is to state their *position* towards the opponent's actions and thereby communicate *disagreement* with the latter. In other words, the point is to engage in disagreement (conflict, protest). 'We protest' accomplishes protest, just like 'we demand' accomplishes the act of demanding. Both actions are communicative achievements.

## **Instrumental argument: coercion and persuasion**

The point of communicating disagreement (*protesting*) is to *influence* the opponent's actions and thereby also cancel the condition of disagreement that gave rise to protest. For much of contemporary protest theory, protesters' *success* in doing so amounts to their opponent's *failure*. This is inevitable in a theory that equates orientation to success with orientation to (self) *interest*. Protesters themselves, however, do not seem to share this *strategic* understanding of conflict (disagreement). In their discourse with the opponent and the public they present the *current* actions of the opponent as a *failure* and those they *expect* from the opponent as the opponent's *success* (in normative terms). The opponent's failure is conceived in normative (which are also relational) terms as *wrongdoing*, or a failure to act as the opponent *ought* to have acted given the *relationship* they are in. It is a failure from the point of view of the relationship rather than of interest. The opponent's success (or actions expected of them by protesters) is conceived in the same

(normative relational) terms, as abandoning the wrong course of action and beginning to act *rightly*, in accordance with what is required by the relationship. Protesters' own efforts to influence the opponent are construed in the discourse as an attempt to *address* (repair) the opponent's failure and *bring about* the opponent's success. This may seem counterintuitive, but because success and failure are defined in normative (relational) terms, they are *shared* (collective) notions. The opponent's success equals protesters' success, and is also the success of the relationship. If the aim of protest is to *influence* the other's actions, i.e. make the other act as protesters *want* them to, the way to proceed about it seems to be to persuade the opponent to act as they *ought* to.

To the extent that they draw on *shared understandings* to overcome disagreement (influence the other's actions), they place disagreement within the framework of agreement. Within this framework *success* and *understanding* appear to be one and the same thing. To persuade the opponent to change their actions means to come to agreement about those actions. Orientation to *success* and orientation to *understanding* are, therefore, inseparable. But if this is so (if disagreement is part of the condition of agreement), then protest involves more than putting *pressure* on the opponent (exercising power); it involves *reasoning* with the opponent. To engage in protest (disagreement) is to engage in 'constructing' *reasons* for the opponent to act in a certain way, as protesters urge (want) them to act. As I have tried to show in this chapter, the reasons have to do with the opponent being in a *normative relationship* with protesters, a relationship that stretches beyond the (extended) moment of protest. The other is expected (urged) to act in a certain way because this, protesters claim, is the *right* way to act within the relationship. Protest is an attempt to set things right by demonstrating to the other that the latter is acting wrongly. (Whether or not they are in fact setting things right is another matter; they could be wrong about what they see as right.) Insofar as they are trying to exert influence by appealing to the other's normative commitments (commitments to a relationship), protesters employ *normative reasoning*. This kind of reasoning falls in the domain of *moral discourse*, which addresses actions gone wrong (see Pitkin 1972, 149). It also shares certain properties with what Aristotle (1991, 80-81) called *forensic* rhetoric:



arguments employed in litigation, which seek to prosecute (blame) or defend (exonerate).

While *correcting* the other's actions always involves pointing out to the other that they are acting *wrongly*, this does not always involve referring to the other's (neglected) *normative commitments*. There are ways of telling the other that they are doing wrong without accusing or blaming them, that is, without constructing their actions as *offence*. In what one may call pragmatic (practical), or *instrumental*, reasoning, *wrong* amounts to acting against one's own *good* (or self-interest) rather than against the 'rules' of the relationship (or obligations towards the other). As in the case of normative reasoning, the speaker seeks to *dissuade* the audience from the wrong course of action and/or *urge* it to pursue the right one. In the case of instrumental reasoning, however, the speaker achieves this by drawing on the notions of *advantage* (benefits) and *harm* (losses), rather than justice or injustice. Instead of reminding the other of their normative commitments, the speaker points out to them the potentially harmful or advantageous *effects* of their actions for themselves. Acting wrongly amounts to acting *unwisely*, failing to recognize the gains and losses entailed in pursuing (or not pursuing) certain courses of action that one is taking or contemplating. Thus, right and wrong are construed in practical, pragmatic, or instrumental, terms rather than in normative (moral or legal) terms. When one is acting rightly or wrongly, one is acting that way *towards oneself* rather than towards the other member of a relationship. In Aristotle's terms (1991, 80-81) this type of reasoning would fall in the category of deliberation, or *deliberative* rhetoric. Practised primarily in decision-making assemblies (as opposed to forensic rhetoric employed in courts), it seeks to exhort or deter the audiences by demonstrating advantages and disadvantages of following certain lines of action in the future.

Both normative and instrumental (pragmatic) arguments are aimed to repair wrong. In both cases, it requires reaching an agreement about right and wrong with the person (or agency) allegedly committing wrong. Both arguments can claim success when this agreement has been reached. They differ in terms of how they construe wrong: whether they see it as a failure of commitment, or a failure of interest (a type

of commitment to oneself). Protest discourse is dominated by normative reasoning: when protesters attempt to repair wrong they are referring to failed (and owed) commitments. But though less characteristic of protest discourse, instrumental argument has its place there too. For the most part, however, this place is ancillary. Instrumental reasoning is meant to reinforce normative argument. There are three groups of statements that construe wrong as the other's failure to attend to their own interests: *exhortations* (a form of persuasion), *threats* (an attempt of coercion) and *proposals* (an offer of cooperation). As the name implies, exhortations attempt to *encourage* the other (opponent) to take a certain line of action in the future and *discourage* them from continuing with their present course of action, by describing the *benefits* of the former and the *costs* of the latter. Exhortations have the structure of conditional statements, containing (or, occasionally, implying) 'if': 'if something, then something'. 'If you *do* something, you will *get* something': 'if you act as you have chosen to, you will inflict *costs* on yourself' or 'if you act as we encourage you to, you will enjoy *benefits*'. Both benefits and costs are *intrinsic* to actions. What protesters seem to be doing is pointing out to the other what the latter has failed to realize. Influencing the other's actions amounts to dissuading the other from making the *mistake* of harming their own interests.

The following are examples of exhortations. 'The situation is critical. If you do not act, the consequences will be *unpredictable*. A decline in living standards will follow, which will increase social tension and could *influence the result of the coming elections*.' 'The programme of economic measures that we are proposing will benefit the regional economy, lessen social tension and *raise the authorities' profile before the elections*.' Thus, even when protesters are persuading the other to act in a certain way towards their own *interests*, this implies acting in a certain way within the *relationship*. The costs that the authorities are about to inflict upon themselves are described as the loss of public support (growing social discontent) and, ultimately, the loss of office. The authorities appear to be damaging their own interests when they are failing to act to act appropriately towards the public. Exhortations often accompany proposals, another type of instrumental argument that appeals to the opponent's interests. Proposals are suggestions concerning the other's

course of action in the future. Unlike demands, which also offer a vision of how the opponent could act in the future, proposals do not imply *obligation* to act the way protesters have suggested. The other is expected to accept the proposal for reasons that have to do with their interests rather than commitments. It is the benefits entailed in the recommended (proposed) course of action that 'sell' proposals to the opponent. A proposal is an offer considered beneficial for the opponent, but beneficial too for the one making a proposal, the protesters. It is an offer of *cooperation*, or partnership. Thus, 'we propose that you do something' implies 'we propose that we reach agreement concerning our *mutual* interest'. What protesters are proposing is usually a *compromise* solution to disagreement.

Consider, for example: 'we propose cultural autonomy for the Volga Germans and other ethnic minority groups in the region'. This is what protesters are prepared to concede to the opponent: the proposal of 'cultural autonomy' is consistent with the demand to give up plans to restore the republic (i.e. grant political autonomy to Volga Germans). In some other cases, the use of proposals indicates protesters' willingness to *cooperate* with the authorities to find solution to the problem that has caused protest. Of the three movements, the aggrieved bank customers movement (which has set out to return their money lost through the collapse of private banks) has taken the most cooperative and *constructive* approach. Perhaps because they had good reasons to doubt that sheer pressure would in this case yield a result, they came up with a detailed list of *suggestions* (proposals) that would solve the problem. Consider the following statement: 'to resolve the current crisis the committee *proposes* ... [an 11-point list of measures follows, specifying actions to be taken by the government, local authorities and the central bank, which include setting up relief funds, issuing 'bonds' for the value of the losses, helping the banks to go back into business, etc., all to enable bank customers to get their money back]. They also propose changes in the law to prevent similar occurrences in the future. What is interesting is that the *same* expectations can also be formulated as *demands*. When the movement speaks (writes) on its own behalf (as the Committee for the Protection of Rights of Depositors and Investors) it prefers to phrase its expectations concerning the other's actions as *proposals*. But in documents that purport to represent

(articulate) the will of the wider public, such as movement supporters (as in rally resolutions), *demands* replace proposals.

Proposals and exhortations (which often accompany proposals) rely on the *intrinsic* benefits or costs of certain lines of action to persuade the other (opponent) to act as protesters would like them to act. What protesters think the authorities *ought* to be doing, given their *obligations* to the other in the relationship, is also presented (to reinforce the message) as something they *owe* to themselves given the *interests* they might have, i.e. as an *advantageous* course of action. Thus, normative argument is supplemented by *persuasion* strategies, appealing to interests. The two share in common the manner of exercising influence by reconstructing the initial situation in talk, i.e. by attaching new *meanings* to the other's actions, of which the other may not be fully aware. Both *assume* that the other would not have acted the way they have chosen to act had they realized what their actions entailed for their *interests* or for their *relationship* with those who have turned protesters as a result of those actions. An attempt to influence the other's actions amounts to an effort to *convince* the other that they are doing *wrong* (either with respect to their interests or obligations). Another possibility to influence the opponent's actions would be to abandon these efforts altogether and try instead to *coerce* the other into compliance. This too involves appealing to the other's interests, but in a way different from persuasion. To convince the opponent that a certain line of action is more *advantageous* than others, protesters would have to *make* it so, by *promising actions* that would increase its appeal and make the other action options less attractive. In other words, coercion involves threatening *sanctions* (punishment) for taking the wrong options or offering *inducements* (rewards) for choosing the right ones.

Coercion, like persuasion, is a strategy of instrumental argument: both attempt to yield a response by specifying the consequences of the other's actions for the other's interests: 'if you do (or do not do) something, then certain (negative or positive) *consequences* will follow'. In the case of persuasion, the consequences are the *anticipated* effects of the opponent's actions, such as reactions of other actors to those actions, which are beyond protesters' control. Coercion, on the other hand, is



more than an exercise in *prediction*: it is an attempt to *impose* certain (usually adverse, more rarely favourable) effects on the opponent in response to the latter's actions. In this case, the consequences are protesters' (promised) reactions to the opponent's actions, and as such they are entirely in protesters' control. When protesters utter a *threat*, they make a promise to sanction the other for a failure to act as protesters suggest they should: 'if you do not do what we suggest, then *we will* inflict *costs* upon you'. They may, on the other hand, offer *inducements*, i.e. promise to reward the other for compliance: 'if you do as we suggest, *we will* do something to *reward* you'. Whether it has to do with the lack of resources at protesters' disposal to be offered as incentives or with general culture, which prefers to sanction deviance rather than reward compliance, inducement statements have not been found in the discourse of protest. The same cannot be said about threats. Each of the three protests occasionally resorts to threatening the opponent with sanctions. And this (sanctions) is precisely what they are. Like persuasion strategies, coercion is meant to *supplement* normative argument, not *substitute* it. Most threats in protest discourse are attached to *demands*; some even articulate the *entitlement* (right) to exercise coercion.

Consider the following statements: 'if the government does not take into account the *opinion* of local people, we will have to resort to extreme measures such as political *strike*'; 'if the republic is *forced* upon us, we reserve the *right* to *civil disobedience*'; 'if our *demands* are not met, the local population reserves the *right* to defend themselves by *other means*'; 'if the government fails to accept our *demands*, we will launch a political campaign to *boycott* the local and general elections'; 'if our *demands* are not met within 30 days, the committee reserves the *right* to consider *mass protest actions*'. The ability to cause disruption or withdraw contribution is, evidently, the main resource that protesters can draw upon to attempt to coerce the opponent into compliance. But the use of force in this case *makes sense* only within the framework of normative argument. Unlike normative argument, which is self-sufficient, threats cannot exist in isolation. They presuppose normative argument that has been made earlier, namely the other's *obligation* to meet protesters' requirements (demands). Hence, the *entitlement* to impose sanctions: the other's refusal to act in

accordance with normative agreements justifies the use of force (sheer pressure). Within the framework of normative agreement force has to appear as *justified*, as the force of that *agreement*. As is the case with most normative agreements (e.g. legal imperatives), sanctions are used as short-cut (and arguably problematically successful) solutions to the persistent problem of disagreement. In proportional terms threats constitute a tiny fragment of protest discourse. Persuasion techniques (such as exhortations and proposals) are only marginally more popular. Instrumental argument, on the whole, is peripheral to protest. It is normative reasoning (statements such as accusations, demands, ought-statements, etc.) that clearly dominates the discourse of protest, and this is true of all the three movements that I have studied.

Insofar as it seeks to accomplish something by uttering words (i.e. conveying meanings), protest represents a communicative act. As such, I have argued, it can only take place within a normative, albeit problematic, relationship. Protest is a communication of disagreement, but it is also an attempt to address (resolve) disagreement by drawing on the resources of agreement, i.e. on shared understandings of right and wrong. I have tried in this chapter to demonstrate that this is indeed the case, that protest is a form of participation in (and reproduction of) normative relationship. Unlike other scholars studying discourse, who tend to focus on the relationship between text and reality (seeing text as a form of representation or as constructed reality), I have chosen to look at the relationship between text and those involved in communication, the speaker and the audience. Like speech act theorists, I treat statements as *actions* accomplished through words, successful only if they manage to secure agreement of the audiences. Insofar as words are addressed to the other (audiences), saying is also a mode of *relating*. In my analysis I have attempted to identify the main statements constitutive of the discourse of three protest movements that I have chosen to study. The most prominent strategies in them are accusations, demands and prescriptive (ought-) statements. These and other statements suggest that protest does indeed take place within the framework of the normative relationship which it *also* attempts to repair. Variations in issues notwithstanding, the true subject of protest is *wrong* committed by the other (the opponent and authorities) who *ought* to have acted otherwise and therefore ought to

*correct* their actions. In the next chapter I shall explore at length just what *exactly* protesters consider to be wrong with the other's actions.

## **Between 'Is' and 'Ought', or Rules the Other Has Failed to Observe**

### **Protest as (corrective) rule enforcement**

There are currently two traditions of *theorizing* protest; which, incidentally, are also two traditions of *practising* it. One of them views protest as an act of *mobilization* of power (the liberal-entrepreneurial view, which locates protest within the context of resources and opportunities). The other construes protest as an act of *resistance* to (and therefore, by implication, lack of) power. This is the radical view, which opposes protest to compliance and stresses the confrontation element of collective action. These two understandings, which present themselves as distinctly sociological (explanatory and superior to other, common social understandings), are in fact the *self-understandings* of two different traditions of protest, liberalism and radicalism. It is the radicals who construe the other as the powerful agent and their own efforts as resistance, and then project this understanding on protests beyond their own. And it is part and parcel of the liberal tradition to construe the environment of protest as empowering, i.e. a realm of opportunities and resources. The use of the concept of power in the two protest traditions is much more specific and contextualized in comparison with the two explanatory sociological traditions, where power is conceived as the ultimate social relationship, which requires no further contextualizing. For radicals, to attribute power to the other (adversary) is to justify (and call for) resistance: it is not the fact of power that generates resistance but the recognition of its injustice. To construe the relationship as a power relationship within the tradition of radicalism is to construe it as *improper* (to be



changed). For liberals, to construe protest as power is to assert the modern democratic political condition as normatively superior to the one it came to replace.

To be construed as *withdrawal* of compliance (resistance), protest must exist in circumstances where there is an *expectation* of compliance. Against the background of such an expectation, resistance inevitably appears as *transgression*, in other words defiance of normality as well as normativity. In the protesters' own understanding, however, transgression is what they are resisting. What they challenge is not the other's power, but their expectation concerning compliance, or the propriety (legitimacy) of this expectation. Thus, what may appear as resistance to *power* is in fact denial of *legitimacy*. Insofar as protesters are responding to what they regard as transgression, protest is a *corrective* effort, an attempt to make the other observe the rules of the relationship (i.e. normative agreement). Withdrawal of compliance is therefore, in essence, withdrawal of agreement. Yet, withdrawal of agreement is rarely *complete*. Rather, to be meaningful as withdrawal of agreement, it must take place within the circumstances of agreement, which it is also trying to assert. In the previous chapter, I have argued that protest is a *communicative* accomplishment. To protest is to communicate disagreement with the other's actions in order to overcome that disagreement. But disagreement is no more than a certain *understanding* about the current state of the relationship that protesters consider themselves part of, an understanding that they expect the other to *share* as members of the same relationship. Disagreement is the understanding that the other is (doing) *wrong*. To communicate disagreement is to assert this as fact; and this can only happen if protesters expect the other to recognize the *rightness* of this assertion. Thus, to protest is neither to resist nor to mobilize power, but to *relate* to the other within the framework of *shared* understandings concerning the right and wrong ways of acting towards one another in the relationship.

This form of relation can be described as *correction* of the other's actions. Protest is an attempt to bridge the gap between 'is' and 'ought', between how the other has chosen to act and how they ought to have acted and, therefore, are expected (urged) to act. A movement from 'is' to 'ought' (from offence to proper conduct), or from

'ought' to 'is' (from norm as expectation to norm as reality), is perhaps the most accurate definition of a social movement. In the previous chapter I have discussed how protesters attempt to correct the other's actions, and the different ways (strategies) of communicating disagreement, such as accusing, demanding, protesting, prescribing, declaring, pleading for help, etc, that they typically adopt. In this chapter I shall analyze the normative *understandings* that inform protesters' corrective efforts, which protesters believe are also the other's (i.e. collective) understandings, or ought to be such. If the last chapter was about protest (or what protest is about), this chapter intends to address the normative *relationship* that is the locus of protest (or what the relationship is about). I shall look at what protesters consider is *wrong* with the other's action, i.e. what *norms* they believe the other ought to have observed but has failed to. When protesters demand, accuse or otherwise communicate their disagreement with the other's actions, they expect to succeed (i.e. secure the other's compliance): not because the other knows what it means to demand or accuse, but because they can discriminate between right and wrong demands or accusations. It is *what* they demand rather than the *act* of demanding which explains why they can demand and can reasonably expect their demand to succeed. 'What' is the substance of the rules that regulate the relationship.

The relationship in question is the relationship between the *public* and the *authorities*, or between *society* and the *state*. Although in all the three cases that I studied there is an opponent other than the state, whose line of action the state has supported by its policies, the state remains the *main* opponent and target of protest. The overwhelming majority of the texts of the three protests are addressed to the state, which is (rightly) perceived to be the main *decision-maker*, whose decisions have, in those particular cases, gone wrong. The other opponents – members of the civil society, corporate agents or organizations controlled by the state – lacking the decision-making power that would equal that of the state, are not addressed as regularly or as frequently by protesters. Part of the reason why protesters prefer to appeal to the state rather than to those actors, who they consider to be their direct opponents, is the fact that their relationship with those actors is *mediated* by the state, as the maker and guardian of law. Given that their primary relationship is to the

state, whatever their particular relationships, it is understandable why the state is considered to be the main offender. Yet the very notion of *offence* applied to actions of the state (coterminous, in this case, with legitimate government) appears to be problematic. The actions that protesters construe as offences (argue to be wrong) are the legitimate policies of a legitimate government. The legitimacy of the government must have *consequences* for the legitimacy of the policies that this government is pursuing. If that were not the case, there would be no point in granting legitimacy to the government. Yet, in reality, policies count as legitimate only as long as they do not provoke any significant *opposition* from the public.

The fact that a perfectly legitimate government can make policies that (some) members of the public fail to recognize as legitimate remains a persistent problem of representative democracy (or, indeed, of any majority-vote decision-making system). No amount of procedural clarification of what is to be counted as unanimous agreement can solve the problem of remaining disagreement. Disagreement in such systems is supplanted, rather than genuinely overcome by, agreement. Democracy (perhaps unlike authoritarian rule) is premised on disagreement, insofar as it presupposes that a number of people (members of the whole community or the assembly representing the community) have to produce decisions *collectively*, i.e. must come to agreement among themselves. Rules of procedures (such as elections, quorum, voting, veto, etc.) specifying what counts as a collective decision (i.e. agreement) are not the rules of *generating* agreement. Any collective decision reached by a majority of votes is not truly a collective decision insofar as it fails to eliminate (overcome) disagreement completely. Those who disagree (voted against) may accept the collective decision as legitimate, but this will not eliminate their doubts concerning the *rightness* of the legitimate collective decision. If a true agreement is to be reached, the problem of disagreement will have to be solved *substantively* rather than merely procedurally. Only then would legitimacy equal rightness. When we undertake to persuade the other to agree with us, we do not draw on procedural rules, but on a different set of rules: the shared (normative) *understandings* of right and wrong. Like any other normative debates, debates over policies are disagreements (arguments) about right and wrong. Protesters (members

of the public or opposition) can always challenge 'collective' decisions on those grounds, as being *wrong* while still matching the criteria of (procedural) legitimacy.

The challengers in this case are the public of a society that has only recently become democratic (although to what extent the Russian society is *truly* democratic remains debatable, as does the quality of any contemporary democracy). The first semi-competitive elections were held in the Soviet Union in (March) 1989 as part of the reformative effort to make socialism *more* democratic<sup>1</sup>. It should be noted that the Soviet system, unlike its critics, had always described itself as both *socialist* and *democratic*. (The last Soviet Constitution of 1977 is a testimony to that: the party is described as 'the leading and guiding force of the Soviet society, [which] ... exists for and serves the people', who is the sovereign exercising its power through the Soviets.<sup>2</sup>) The official political culture promoted by the party was a *participatory* political culture. Soviet citizens were expected to actively involve themselves in solving society's problems in their capacity as members of various 'public organizations', such as the Soviets, the party, Komsomol, trade unions, workers collectives, etc. In practice, the Soviets (as well as other public organizations) were subordinate to the party, and did not play much of a role in policy-making, especially at the national level. The democratic reforms initiated by Gorbachev and known in the West as *glasnost* and *perestroika* were meant to shift power from the party bureaucracy to the elected Soviets, which were to become truly *decision-making* agencies. To accomplish this, one had to create the socialist equivalent of the liberal-democratic public sphere, what the new party leadership referred to as 'the socialist pluralism of opinions'. The party ceased to be the Soviet public sphere – the only legitimate forum of debates concerning the future of society. Since 1987 disagreement over policies and social practices has become the norm in the public domain: common as well as legitimate.

While protest did exist in the old Soviet Union, it rarely took the form of *public challenge* to the authorities. Soviet citizens could legitimately express their

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<sup>1</sup> See, for example, Buckley (1993, 183-88) and Zaslavskaya (1990).

<sup>2</sup> See articles 1, 2 and 6 of the (fourth) Soviet Constitution of 1977.



discontent by filing a complaint, writing a letter to a newspaper, lobbying the higher-level authorities<sup>3</sup>, or by raising the issue at party, Komsomol or trade-union meetings. Other options, such as organizing a demonstration, setting up an independent social movement or going on strike, were not only problematic in terms of the authorities' response: for the majority of citizens they were unthinkable. Such visible collective demonstrations of opposition to party policies, whether they were acts of sheer desperation<sup>4</sup> or conscientious ideological opposition to the regime<sup>5</sup>, were out of place in a system where the very institution of political (or ideological) opposition was absent. The only independent grassroots mobilizations that did fit in with the institutional structure of the Soviet polity (as well as the dominant discourse) were groups that preferred direct self-help action to confrontational pressure politics. These were genuine local civic initiatives aimed at finding concrete solutions to social problems, such as shortage of housing<sup>6</sup>, disintegration of urban neighbourhoods<sup>7</sup>, teenage delinquency<sup>8</sup>, deterioration of natural environment<sup>9</sup> or

<sup>3</sup> This option was only open to those within the hierarchy of authority. Environmental campaigns to save Lake Baikal from industrial development, in 1960s, and against the irrigation project that involved diverting Siberian rivers south, in the 1970s and 1980s (Pearce 1991, 124-5; Lane 1985, 242-3), are examples of successful elite mobilization. Both campaigns were led by top intellectuals (writers and scientists) some of whom also held important positions in the Soviet cultural establishment, e.g. chief editors of literary journals. See also Skilling & Griffiths (1971) on interest groups in Soviet politics.

<sup>4</sup> The 1962 'Novocherkassk events', as they are known in Soviet historiography, was an example of a spontaneous and desperate mobilization against instant rises in food prices. In this case the army was called in to pacify the demonstrators, which resulted in several deaths. This was not, however, a standard response to mass protest. In other cases the Party would typically fly in a high-rank official from Moscow to negotiate an agreement (though after the protest was pacified, sanctions would be taken against the organizers). See Haynes & Semyonova (1979).

<sup>5</sup> Such as the dissident movement. See, for example, Shatz (1980).

<sup>6</sup> For example, the movement of housing cooperatives for young people, or MZhK (*molodiozhnye zhilischnye kooperativy*). It started in the 1970s in Novosibirsk, where a group of young families on the housing waiting list decided that a quicker way to get housing would be to become builders and build their own apartment blocks collectively. Often, once the houses were built, the MZhK transformed into a community neighbourhood committee.

<sup>7</sup> For example, community initiatives such as the self-management movement in Moscow in the 1980s, in which local residents set up neighbourhood committees to improve services, the environment, and address social problems in their neighbourhoods, a task that the local Soviets had effectively failed to perform (Shomina 1995).

<sup>8</sup> Such as, for example, the leisure activity club for teenagers 'Levsha' (named after a character in Leskov's story, a left-handed craftsman) set up in one of Moscow neighbourhoods by a local resident in 1980 (Yanitsky 1990, 83-5).

<sup>9</sup> The student movement of nature protection squads (*studentcheskie družiny okhrany prirody*) was one of the most well-known conservation-type environmental movements. Members of the squads organized patrolling of green areas against poachers and illegal felling of trees. The first *družina* was formed in 1958 by students of Tartu University in Estonia. In 1972 there were forty *družinas* across the country (Fomichev 1992). The movement held its 30<sup>th</sup> anniversary conference in 1990.

decline of faith in communist ideals<sup>10</sup>. While there were no legal provisions for this type of activity, the reaction of the official Soviet organizations, such as the party and Komsomol, was mainly positive. So much so that, in addition to providing support, the party tried to exercise a measure of control over such initiatives. As a result, some of the initiatives were institutionalized, while others retained a degree of independence<sup>11</sup>. All this, however, had changed by the beginning of the 1990s, when an attempt to reform socialism in the Soviet Union unexpectedly brought socialism (and the Soviet Union itself) to an end.

### **Three protests: 'anti-autonomists', 'chemical safety champions', and 'deceived investors'**

#### *The anti-autonomy movement*

The cause of what is now known as 'the anti-autonomy movement' is easy to formulate in one phrase, which anyone travelling through the area can easily see inscribed in huge letters on the concrete walls of industrial estates facing the motorways: 'No to the autonomy of Germans on the Volga'. It is one of the longest surviving movements of the perestroika era. As one of its leaders told me in an interview, 'when we started setting up a committee in 1989, we thought it would be for two or three months only, not for six years, as it turned out'. This committee is called '*Zashchita*' (meaning 'protection', or 'defense'). It is one of a network of such committees in *Zavolzh'e* (the area on the left, Eastern, bank of the Volga in the Saratov region), set up in the administrative centres of rural districts, which formed

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<sup>10</sup> International brigades (Berezovsky & Krotov 1989, 23), such as *Hasta La Victoria*, a group against the Uruguay military dictatorship, which existed in the Saratov University in the early 1980s.

<sup>11</sup> The All-Russian Society for the Protection of Historical and Cultural Monuments (*VOOPIK*) provides an example of the institutionalization of a grassroots initiative. Set up on the basis of a public committee for the protection of historical and cultural monuments which existed in Leningrad in the mid-1960s, it quickly turned into yet another official organization with no popular appeal, routinely collecting membership fees from people who knew nothing about its concrete activities (Nenashev & Pilatov 1990, 13-4).

part of the territory of the Autonomous Republic of Volga Germans between 1924 and 1941<sup>12</sup>.

Volga Germans in Russia are descendants of the German colonists invited to Russia by German-born Catherine the Great in the second half of the 18<sup>th</sup> century<sup>13</sup>. Many of them settled in the Volga region. In 1897 there were 1 790 000 Germans living in Russia (Tishkov 1997, 27). Soon after the revolution in October 1918 the Soviet government<sup>14</sup> issued a decree establishing the Autonomous Volga German Workers' Commune. In 1924 it became the Autonomous Soviet Socialist Republic of Volga Germans. But the fortunes of the Soviet Germans were about to change. In August 1941, two months after Germany invaded the Soviet Union, they were accused of collaboration and ordered by a government decree<sup>15</sup> to be deported to Siberia and Kazakhstan. There they lived as 'special settlers'<sup>16</sup> under surveillance until 1955, when they regained their civil rights<sup>17</sup>. In 1964 the treason charges were dropped<sup>18</sup>, but the permission to return to the Volga was not granted until ten years later. Since then they have been campaigning for the republic they lost in 1941, without success. Government plans to reestablish the republic in Kazakhstan failed after mass protests among the local population (Hyman 1996, 467). During the 1970s and 1980s many of the Volga Germans emigrated to Germany<sup>19</sup>. In 1989 the German population in the USSR was slightly over 2 million people (Tishkov 1997, 40).

It was not until perestroika that the campaign for the republic began to bear fruit. At last, the issue could be openly discussed in the Soviet press. An article in *Pravda* in November 1988 observed that 'proposals concerning the restoration of the statehood of Soviet Germans were being examined by the party and state authorities'<sup>20</sup>. The

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<sup>12</sup> The republic encircled the area of several administrative districts in the Saratov region and in the neighbouring Volgograd region.

<sup>13</sup> See Vormsbekher (1988, 195).

<sup>14</sup> The Council of People's Commissars (*Sovet Narodnykh Komissarov*, or SNK).

<sup>15</sup> Decree of the Presidium of the Supreme Soviet of the USSR of 28 August 1941.

<sup>16</sup> *Spetsposelentsy*.

<sup>17</sup> Decree of the Presidium of the Supreme Soviet of the USSR of 13 December 1955.

<sup>18</sup> Decree of the Presidium of the Supreme Soviet of the USSR of 19 August 1964.

<sup>19</sup> 168 000 Germans left the Soviet Union between 1948 and 1988 (Hyman, 1996, 468).

<sup>20</sup> *Pravda*, 5 November 1988, page 3: V. Auman and V. Chernyshev 'Sovetskie Nemtsy pered voinoi i segodnia'.

proposals were made by a group of activists who in April 1988 formed a coordination centre of the movement for the restoration of the republic of Volga Germans, which in March 1989 set up the All-Union Society of Soviet Germans aptly named 'Vozrozhdenie' (Rebirth). Several months later, the first Congress of People's Deputies<sup>21</sup> set up the Commission for the Problems of Soviet Germans, which put together a package of proposals recommending the restoration of the republic on the Volga. The recommendations were due to be considered by the second Congress of People's Deputies convening in December that year. In October *Izvestia*<sup>22</sup> published a small article on the conclusions of the Commission. The result of that publication was an unprecedented wave of protests in *Zavolzh'e*, the territory of the former republic of Volga Germans, which now was mainly populated by non-German speakers<sup>23</sup>. The local newspapers reported mass rallies and meetings in the towns of Marx, Krasnoarmeisk and Stepnoe, attended by delegations from other districts. The press coverage of the protests beyond the local level was hostile. Even the regional newspapers dismissed them as conservative and reactionary, born of ignorance and irrational fears (and led by the hard-line local communist bosses, reluctant to give up their power). In December, ninety protesters delegated from four districts of the proposed republic were picketing the second Congress of People's Deputies in Moscow.

This marked the beginning of a long campaign that continued throughout the 1990s with a little more success than the campaign of Volga Germans to restore the republic. In 1990 the local Soviets in several districts passed decisions not to join the republic if it was formed by the government. In 1991 local referenda were held in five of the districts of the former republic. The overall vote was more than 80% against restoration. Protesters sustained their pressure on the regional and central authorities into the 1990s, with rallies, conferences, pickets, and petitions forming their preferred methods<sup>24</sup>. After the break-up of the Soviet Union the new Russian government considered several options for autonomous German districts outside the

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<sup>21</sup> The new Soviet 'parliament', elected on a semi-competitive basis in March 1989.

<sup>22</sup> A daily newspaper, an official publication of the Supreme Soviet.

<sup>23</sup> According to the 1933 census, 66% of the population of the republic were German speakers. In 1989, the German population within the territory of the republic was less than 5%.

<sup>24</sup> Although a strike and road blocking in 1991 in Sovietsky district were also noted.



Saratov region. Despite several legislative decisions by the Russian government and a couple of presidential decrees recommending the restoration of 'the national-state formations of the repressed peoples'<sup>25</sup>, there is still no German republic where it used to stand until 1941.

### *The movement for chemical safety*

The Russian public only discovered the existence of chemical weapons in Russia itself (and the safety implications of this) in 1993, the year when Russia, among other 156 states, signed an international convention<sup>26</sup> committing it to destroy its stock of chemical weapons, which reportedly was the largest in the world: 40 thousand tonnes of toxic agents. Not that the public was completely unaware of the country's chemical arsenals; rather, that chemical weapons were not much talked about. Not until 1993, that is, when the topic became so popular with the press, and chemical weapons mentioned so often in it, that new abbreviations were soon coined by journalists: *KhO* (short for chemical weapons) and *UKhO* (short for destruction of chemical weapons). Suddenly a dozen previously little-known locations across the country that hosted Russian chemical warfare facilities emerged from obscurity. Among those were the towns of Shikhany and Gorny on the Volga.

Shikhany is one of a breed of Russian towns built around military research sites of strategic significance, with restricted access and shrouded in secrecy<sup>27</sup>. For years prior to the signing of the Convention (since 1926) it had been involved in the Russian chemical warfare programme. The town hosts a Chemical Forces Army Unit<sup>28</sup>, a Research Institute of the Chemical Forces of the Ministry of Defense, the State Research Institute for Organic Synthesis Technologies, a storage facility<sup>29</sup>, a

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<sup>25</sup> Literal translation of *natsionalno-gosudarstvennye obrazovaniya* (see The Law of the Russian Federation on Rehabilitation of Repressed Peoples, 24 April 1991).

<sup>26</sup> The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction' (source: <http://www.sipri.se>), signed in Paris in January 1993.

<sup>27</sup> It is also known as Volsk-17 (Shikhany-1) and Volsk-18 (Shikhany-2).

<sup>28</sup> Chemical forces are a branch of the Russian military forces. There is a High Military College for Chemical Defense in Saratov.

<sup>29</sup> Which houses 2,4 thousand tonnes of irritant gases not covered by the Convention. Under the requirements of the Convention Russia must only destroy the five chemicals it declared to have in

burial site for toxic agents<sup>30</sup>, and a testing ground covering 460 square kilometres of land on the bank of the Volga. On the other side of the Volga, just over a hundred kilometres to the southeast of Shikhany, is the town of Gorny, whose contribution to the Russian chemical history is perhaps less glorious, though equally grim. Here another army unit guards another chemical site, known to the locals as *khimbaza*, a chemical warehouse containing twelve hundred tonnes of first-generation toxic agents (yperite, lewsite and yperite-lewsite mixtures<sup>31</sup>), kept there in bulky worn containers since 1943.

As soon as the awesome presence of the weapons was officially acknowledged, the sites, names and quantities of toxic agents disclosed, and preparations started for their destruction, the local population began to raise concerns about the environmental and health risks involved. Official information on the safety aspects of chemical weapons and chemical demilitarization was hard to come by. The government in its declarations presented the issue of safety as purely the disposing of the dangerous weapons. Critics of the government among local environmentalists stressed that the disposal technologies themselves were unsafe. When rumours spread that Shikhany was designated to host a destruction facility<sup>32</sup>, a group of local environmental activists, including a military expert on chemical weapons, a prominent researcher on the chemical weapons programme (both members of the local council<sup>33</sup>), members of the local administration<sup>34</sup>, a correspondent of the

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possession: two blister agents (mustard gas and lewisite, as well as their mixtures) and three nerve gases (sarin, soman and V-gas).

<sup>30</sup> Where 3,2 thousand tonnes of adamsite (arsenic-based substance), another agent not covered by the Convention, is dumped.

<sup>31</sup> The blister agents group of toxic substances, used in the First World War.

<sup>32</sup> This meant that toxic agents subject to destruction under the requirements of the Convention would be brought to Shikhany from their original locations. Shikhany had none of the five toxic agents to be destroyed under the Convention. The high level of chemical expertise was the reason it was proposed as a destruction site.

<sup>33</sup> Volsk City Council. Volsk is the neighbouring town and the centre of the administrative district, just 15 kilometres away.

<sup>34</sup> The local council and administration of Shikhany. Local councils, which constitute the lowest level of local government in Russia (city councils in district centres, such as Volsk, and district city councils in regional centres, such as Saratov), have traditionally little influence on local policy-making, which is dominated by bigger city and regional authorities. This is one of the reasons why they often found themselves in opposition to decisions taken at the higher levels of the local government. In the recent reform of local government, the lowest elected level of authorities (city district councils) were abolished. City districts are now run by city district administrations comprised of appointed (not elected) members.

regional newspaper and other activists, began a campaign against the decision. Among local collectivities who joined the campaign were employees of the Volsk Central Library, the Cement Works (the biggest industrial complex in Volsk and the main polluter of the local environment), and the medical professionals of the town, who took their own protest actions against the government plans. The campaign was successful: the government reconsidered its original plans and decided to ban transportation of toxic agents to the destruction sites.

However, concerns about safety remained, not only on account of inadequate safety provisions in the destruction programme, but also because destruction was not enough to address the environmental implications of chemical weapons. In autumn 1993 a group of environmental activists who lead protests in Shikhany founded a social movement called 'The Union for Chemical Safety'<sup>35</sup>. Co-chaired by two experts on chemical weapons<sup>36</sup>, the movement embarked on a long-term campaign to make the government acknowledge, assess and deal with the environmental damage caused by the chemical warfare programme, incorporating those issues into the chemical demilitarization programme. Apart from organizing protest actions, the Union gathered and disseminated information on levels of chemical contamination of the environment and the environmental aspects of demilitarization, making regular appearances in the local and regional press, and occasionally in the national media. In 1994 other environmental organizations joined the campaign. One of them was the Saratov-based Association of Doctors, with the 'Health to Children' campaign. In autumn 1994 they carried out a series of medical examinations in the town of Gorny, which showed an alarmingly high rate of different forms of pathologies in local children.

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<sup>35</sup> Though an organization with the same name was established at the national level at about the same time, the leaders of the Saratov organization insist that they were the first Union for Chemical Safety in the country. Now, the national Union has branches in Shikhany and Gorny, but the two were set up a lot later and are led by people not involved in the first protests.

<sup>36</sup> One of them was a major in the Shikhany army unit before he was discharged from the army for environmental activism and disclosing secret information about tests of new toxic substances that he as a young officer had had to take part in. He has a second-degree disability as a result of those tests and after participation in radiation cleanup at Chernobyl. The other is a prominent scientist at Shikhany who was charged in 1993 (under article 75 of the Criminal Code) with disclosing state secrets after he went public with information about Russian research into new binary agents, an undeclared toxic agent with superior destructive capacity.

While Shikhany was mounting one campaign after another, there was little sign of protest activity in Gorny. Local residents seemed unperturbed by preparations for chemical disarmament or indeed by the implications of the success of protests on the other side of the Volga. The government decision banning the transportation of toxic agents, taken after a wave of protests in Shikhany<sup>37</sup>, meant that Gorny's share of the Russian chemical arsenals was to be destroyed in the town. Before the full details of the new government plan became available to the public<sup>38</sup>, a group of radical, anarchistic environmental activists from Saratov<sup>39</sup> took it upon themselves to inform the local population about what the government had in store for them. On 25 September 1994 a fourteen-strong group descended upon the town to stir it into action. Coming well-prepared for an action that became part of an international protest day<sup>40</sup>, they managed in the course of one day to organize door-to-door canvassing of opinion and distribution of leaflets informing the public about the government plans and their environmental implications, a rally in the central square, and persuaded 1348 local residents to sign a petition to the Ministry of Defense and the State Duma, a copy of which was delivered to the commander of the army unit in Gorny. This consciousness-raising campaign proved a success. A few months later a group of local activists founded 'The Social-Ecological Movement of the Town of Gorny', joined by 243 people on its first day.

In October 1995 Saratov hosted the first 'public hearings' on the problems of chemical weapons, an international conference of non-governmental environmental organizations campaigning for safety of chemical demilitarization. The campaign continues while the government goes ahead with the destruction plan, though many

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<sup>37</sup> And other such protests across the country. In some case regional authorities took decisions forbidding transportation of chemical agents through their territories.

<sup>38</sup> A Decree of the Government of the Russian Federation No.1470 'On Organization of Works to Construct a Facility for Destruction of Chemical Agents Kept on the Territory of the Saratov Region' was issued on 30 December 1994.

<sup>39</sup> Officially registered as 'The Centre for Assistance to Civic Initiatives', a non-governmental charitable organization.

<sup>40</sup> On the same day protest actions took place in Shikhany and other chemical weapons locations across Russia. The initiative for the one-day protest campaign, under the slogan 'For the safe destruction of chemical weapons', came from American environmental groups involved in similar protests at US chemical weapons sites.



parts of its original plan had to be changed under public pressure. In 1996 the government passed a decree which envisaged that all weapons should be destroyed by the year 2010, and those in Gorny by 2003<sup>41</sup>. Experts opposed to the government programme argue that the schedule is unrealistic if safety is to be guaranteed<sup>42</sup>. But, bound by international commitments, the Russian government is unlikely to revise the schedule. Once again, safety seems to be second priority in what protesters have dubbed 'the chemical disarmament race'.

### *The deceived investors movement*

No one is likely to remember who coined the phrase 'deceived investors' – an ironic commentary on the new phenomenon in post-socialist politics caused by monetary inflation and inflated trust in free-market enterprise. When in 1995 a number of financial ventures discontinued operations, leaving millions of their customers across the country without their life savings, there was no shortage of journalists making wry comments on the naivete of former Soviet citizens who considered themselves 'deceived', having invested their trust as well as their money in companies that they should never have trusted. Newspaper headlines were full of allusions to the famous hero of a children's tale, who is persuaded by his scheming companions to dig his money into the ground in the Field of Miracles, situated in the Country of Fools, so that it could grow next morning into a tree covered in golden coins. To be fair to the former Soviet citizens, the numerous banks, investment funds and stock companies launched massive advertising campaigns to persuade people to part with their money. With inflation at 30-40% a year, the astronomical three- and four-digit figures of annual interest rates promised by the companies looked as persuasive as they were unrealistic.

The scale of their success was fully revealed when they failed to satisfy the government requirements to obtain licenses for trading in securities. More than four hundred thousand people in the Saratov region alone lost their investments following

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<sup>41</sup> A Decree of the Government No. 305 issued on 21 March 1996 'On Approving the Federal Programme 'Destruction of the Chemical Weapons in the Russian Federation'.

<sup>42</sup> Technologies being the most problematic part of the destruction programme. None of the known technologies can ensure complete destruction without producing toxic waste.

the closure of 104 companies. The overwhelming majority of investments (more than 70% according to some sources) were small-scale by low-income groups trying to protect their savings from soaring inflation. As hundreds of anxious former customers gathered daily outside their banks and investments funds in the vain hope of recovering their deposits, the 'initiative groups' of what was soon to be known as 'the movement of deceived investors' began to form, to put this effort on a firmer footing. On May 12, 1995 the first meeting of deceived investors was held in the conference hall of the Regional Duma. Shortly after, the leaders of 23 initiative groups, most of whom professionals with university degrees, formed 'The Committee for the Protection of the Rights of Investors'<sup>43</sup>. The chairman of the Committee, a trained lawyer and a retired KGB officer, was later elected deputy chairman of 'The All-Russian Movement of Investors' founded at the Congress of Investors in Moscow on October 4, 1995<sup>44</sup>. Note the omission of 'deceived' in the name of the movement: despite their enthusiastic use of the term, journalists proved unable to export it into protesters' discourse.

If one were to count the numbers of people who would stand to benefit instantly if protests were to succeed, the investors' movement would probably be the biggest in the country. It is not, however, the most disruptive one, at least not in comparison with the other two protests. The Committee's idea of success is to return money (or pay compensation) to the investors. To achieve this they rely to a lesser extent on mass rallies and picketing actions, and more on collecting information about the lost investments and devising what they call 'concrete economic measures to resolve the crisis'. Among the measures they proposed are 'The Economic Programme 'Revival' (which envisages setting up state-controlled investment funds to gradually

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<sup>43</sup> Its registration date is 26 June 1995. To acquire a juridical status and to be able to open a bank account non-governmental (*obshchestvennye*) organizations in Russia have to register with regional authorities, which most of them do. All the movements mentioned in this chapter are registered organizations. The Committee has its branches in the administrative districts of the Saratov region, and contacts with similar organizations across the country. It is not, however, the only organization of 'deceived investors' in the region. In January 1996 a rival organization was formed, which called itself 'The Association for the Protection of the Rights of Investors'. Its leader too is a lawyer. The Committee is in serious conflict with the Association. There is also the so-called 'Trade-Union 'Assistance'', a commercial organization dismissed by the Committee as a con, another dubious investment fund destined to collapse.

<sup>44</sup> He was later nominated by the movement to stand in 1995 general election.

compensate the investors their losses) and ‘The Conception of a Law on Protection of the Rights of Investors’ (aimed to prevent similar incidents in the future). The government response to the sustained pressure from investors organizations across the country was to issue a number of decrees<sup>45</sup>, specifying measures to be taken to ensure that the rights of investors and share-holders were properly protected (including the setting up of compensation funds, passing new legislation and investigating the companies concerned).

Such a high rate of activity from the government over a short period of time was in itself an impressive achievement, even though the true achievements were yet to be seen by millions of distressed investors across the country anxious to recover their money. This, they understood, would take time. In August 1998 they learnt that it would take even longer than they thought, as a number of banks that survived the 1995 crisis went bankrupt following the collapse of the Russian currency, adding hundreds of thousands more people to the list of casualties of the Russian economic reforms.

## **The democratic state as popular will and public good**

Protest is a two-fold task. Not only are protesters trying to *alter* the other’s actions, but while they are doing this they are also making *claims* about the nature of their relationship with the other. If we think of the text of protest in these terms – not as a *construction* of reality reflecting the values (and interests) of the authors, but as a set of *claims* about reality that may prove right or wrong – then the text of protest is fundamentally about the *wrong* that is taking place, a wrong that protesters are trying to *rectify*. The success of their corrective efforts will depend on whether they are *right* about the *wrong*, i.e. about the nature of relationship (agreement) between themselves and the other. In this chapter I shall explore the claims of three protests about the *rules* that have been violated, the rules protesters are trying to enforce. I

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<sup>45</sup> Among them: Presidential Decree No.416 of 26 April 1995, Presidential Decree No.765 of 26 July 1995, Presidential Decree No.1157 of 18 November 1995, Government Decree No.408 of 21 March 1996, to name but a few.

shall identify various *sets* of rules that, protesters claim, regulate the relationship between the state and society. The state and society in question are not abstract entities, but a particular state and a particular society – Russia in the first half of the 1990s. However, this particular normative relationship is not *entirely* particular. Rather, when protesters raise accusations and make demands, they draw on their understanding of the *general* principles regulating the state-society relationship in *democratic* polities. Indeed, their understanding of these principles is surprisingly advanced for citizens who were born and spent most of their lives in a society that the majority of Western experts describe as authoritarian, or undemocratic.

Not acting *democratically* is one the main offences that protesters attribute to the opponent (the authorities). The particular accusations raised against the authorities by participants in the three movements reveal the awareness of the two basic principles of democracy: *popular sovereignty* and *public good*. These two should be familiar to anyone exposed for a significant period of time to Soviet official discourse, as these protesters have indeed been. Indeed, the two principles were inscribed in the Soviet constitution: rule *of* the people and *for* the people was the constitutional description of the Soviet state<sup>46</sup>. The Soviet idea of democracy is essentially a borrowed Western idea. The principles of popular will and public good are considered to be fundamental democratic principles by many Western theorists of democracy. John Stuart Mill, for example, describes democracy (representative government) as such a form of government ‘in which the sovereignty, or supreme controlling power in the last resort, is vested in the entire aggregate of the community; every citizen not only having a voice in the exercise of that ultimate sovereignty, but being, at least occasionally, called on to take an actual part in the government’ (1910, 207). Thus, ‘the best form of government’ embodies the principle of collective sovereignty as *representation* and *participation*. The second principle (public good) is something that follows on from the first: the government which represents collective *will* is also likely to act in collective *interest*. The subject of deliberation in representative assemblies is the ‘public interests of the country’ (Mill 1910, 240). In fact, the second principle is not really a democratic principle. A

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<sup>46</sup> See articles 1, 2, 3, and 5 of the 1977 Soviet Constitution.



good despotic government, according to Mill, can also manage collective interests of the people for them. However, a representative government is much more likely to act towards public good than a despot, whose goodness or intelligence cannot be ensured (1910, 202-4).

The norms of popular sovereignty that, in protesters' understanding, have been violated by the Russian authorities include (a) norms of public *access to decision-making* (participation), and (b) norms of public *access to information* about the decisions and actions of the government. Among the frequently raised accusations include: 'disregarding *public opinion*', 'concealing *information* from the public', and 'denying public *participation* in decision-making'. Thus, the chemical safety movement considers it an offence that the government chemical demilitarization programme has been forced upon the localities without any attempt being made to secure the approval of the local residents whom the programme will directly affect. Demands addressed to the government include local *referenda*, public *discussion* of draft legislation on the destruction of chemical weapons, full, timely and reliable *information* on chemical weapons, destruction procedures and their environmental implications, and non-governmental *public control* system over the destruction process to ensure its safety. Proper access to decision-making is also one of the main demands of the anti-autonomy movement. The government is accused of taking consequential policy decisions before *finding out* local public opinion on the issue, and of *acting against* public opinion as a result of this. In this case, protesters have taken steps to expose the level of the government ignorance or disregard for the public opinion by holding local *referenda*. Both the turnout (over 80%) and the vote (over 70%) demonstrated convincingly the lack of agreement between the government and the local population. The local councils' *declarations* against the restoration of the republic were another attempt by protesters to de-legitimize government policy by confronting it with the democratically-expressed will of the local people.

It is not only the public which in the protesters' understanding is lacking knowledge (as information) about the implications of the decisions that the government is

taking. The government, too, may not be fully aware of the likely consequences of its actions. One of the offences that the government is accused of committing can be described as *incompetent* decision-making. This is not strictly an offence against the rules of democracy. Mill (1910, 243) describes ‘general ignorance and incapacity, or, to speak more moderately, insufficient mental qualifications, in the controlling body’ as one of the ‘dangers of the representative, as of every other form of government’<sup>47</sup>. Democratic as well as non-democratic systems of government consider it necessary to entrust decision-making to those who have the required knowledge and skills which decision-making involves. Protesters, too, expect decision-makers to be sufficiently competent to perform the tasks entrusted to them. One of the ways in which decisions can be (or are seen to be) wrong is when they are (regarded as) ill-considered or incompetent. Incompetent policy-making, which had led to a large-scale financial crisis, is one of the main charges raised against the government by the ‘deceived investors’ movement. The anti-autonomy movement accuses the government of wrongly judging the outcomes of their decisions: namely, that restoration of the republic would stop the emigration of ethnic Germans from the country (since the overwhelming majority emigrates for economic, and not political, reasons).

The accusation of denying the public access to decision-making, to which it is entitled, is reiterated in the accusation of allowing access to decision-making to groups who are not supposed to have it. The groups accused of exercising influence over policy-making at the expense of the public are: *corporate* interests (the military-industrial complex in the chemical safety case, and the German government in the Volga Germans case); *appointed* government officials (the executive branch of authorities as opposed to the elected members); and *central* authorities in Moscow (rather than the local government). The Russian protesters’ understanding of the norms of democracy, once again, shows remarkable similarity to the understanding of classical theorists of democracy. Mill, too, considers ‘the influence of interests not identical with the general welfare of the community’ to be a danger to a democratic

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<sup>47</sup> However, Mill also observes that ignorance is not only found in the representative body; ‘the public opinion that controls it’ is also exposed to a ‘danger of a low grade of intelligence’ (1910, 256).

government (1910, 243). Rules of *procedure* (specifying how decisions are to be taken, including who is to participate in decision-making) are complemented by rules of *priority* (who is to benefit from decision-making, or whose interests the decisions are to serve). The former embody the principle of collective sovereignty (popular will), the latter – the principle of collective interest (public interest). If modern democracies were direct rather than representative, the distinction between the principles of *popular sovereignty* and *public good* would be less salient, if not completely superfluous. The entire community is much more unlikely to act against its own interests than a group of its representatives. However, even in direct, truly participatory, democracies, as long as disagreement remains a problem that cannot be overcome by voting alone, collective decisions may not always represent collective will, and therefore collective interest.

In a less-than-perfect Russian democracy, the failure to act in *collective (public) interest* constitutes the second major offence that the government is accused of committing, alongside the failure to represent *collective (popular) will*. The two failures are related. It is alleged that the government is serving the interests of those groups that also exercise disproportionate influence over the decision-making. In the chemical safety case, it is the military-industrial complex that is said to be doing all the decision-making, thus serving its own interests, while the public, local authorities and environmental agencies have no influence on the government policy. The appointment of the former Chief Commander of the Chemical Forces as the head of the Conventional Committee, the body that shapes the country's chemical demilitarization policy, confirms this fact. The movement campaigned against the appointment, and achieved the dismissal of the head of the committee. But the victory was deficient, as the replacement, too, came from the army ranks, leaving the military in charge of the chemical weapons destruction policy. The main charge against the military is its lack of sincere commitment to chemical disarmament (since they will lose jobs as a result of it). In addition, the military are accused of carrying research into new chemical weapons *after* the country declared its commitment to chemical demilitarization. They are also said to be harbouring plans to use the chemical weapons destruction facilities for secret production of toxic agents for sale

in the third world. Other charges include misappropriating funds allocated for safety control, and closed-door dealings with local authorities, which have been promised funding and help with social projects in their localities in return for their agreement to participate in the destruction project.

The interests of the local governments and those of the state also clash with the interests of the public in the chemical safety case. The local authorities are accused of trading the safety of the local people for the economic and social benefits of the localities, which come with funding granted in exchange for taking part in the destruction project. Likewise, the state is said to have chosen its priorities wrongly by putting its international obligations above the safety of its people. Keeping the schedule is viewed by the government as a more important task than ensuring that the weapons are safely destroyed and the environmental damage caused by them dealt with. These allegations are not confined to present policies. Rather, present policies confirm a trend, a long record of neglect of public interest with respect to chemical weapons. The public interest was not the government's priority during the chemical arms race. Thus, having signed a 1925 international treaty prohibiting the use of chemical weapons in warfare, the Soviet Union continued to expand its chemical arsenals at the cost of public safety. Many of those who were employed at the chemical facilities or lived nearby suffered health damage and died prematurely. The state has also used chemical weapons as an instrument of political repression (for example, irritant gases were used by police and army forces to pacify demonstrators in Tbilisi, the capital of Georgia, in April 1989).

The anti-autonomy movement has also accused the government of pursuing other goals instead of public interest in the case of the proposed Volga Germans republic. The vested interests in this case are the economic interests of Russia and Germany. It is alleged that the Russian government policy on the issue is influenced by the internal interests of another state. The government is accused of pursuing a pro-German policy in the Volga Germans case, allowing Germany's interests to dominate over the interests of the Russian public. The public interest is being traded off for keeping good relations with Germany, the main creditor of Russian economic



reforms. Germany, on its part, is accused of interfering into what is essentially an internal issue, the political structure of the state, to resolve its own internal difficulties (i.e. caused by high levels of immigration of Germans from the former Soviet Union). The interference, protesters argue, undermines Russian national sovereignty, its political independence. This is not considered to be an appropriate price to pay for securing funding for the economic reforms. As in the previous case, protesters substantiate their claims concerning the present failure by drawing on examples of failures in the past. The state is shown to have a long record of pro-German policy. Catherine the Great is often accused of having German interests in mind when she invited German colonists to settle in Russia in the 18<sup>th</sup> century <sup>48</sup>. While the move was beneficial for the country's economy, it did Russian peasants no favours, helping to prolong serfdom. The German colonists were granted special rights and privileges, unknown to the Russian people<sup>49</sup>. Similarly, the Bolshevik government is accused of making the first step towards establishing the German republic, in 1918, as a concession to Germany to help stop the war that Russia was set to lose.

The public interest appears in different guises. It can be the interest of *local residents* who will be affected by the government policies, or it can be identified as the interest of the dominant *ethnic group*, and even more broadly the *nation*. One of the allegations against the government policy in the Volga Germans case is that it undermines the unity, peace and stability of the country. The public interest is understood as the national interest, keeping the integrity of the state. The policy of the restoration of the republic of Volga Germans is described as 'dismembering' the state. Internal divisions are seen as a symptom of weakness, while unity carries positive connotations. Some of the metaphors used by the anti-autonomy protesters invoke parallels with the most painful moment in Russian national history, the Mongol yoke (1213-1380), caused, according to the standard interpretation, by the lack of unity among the feudal kingdoms that were later to become the Russian state.

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<sup>48</sup> Her motivation, allegedly, was to help her fellow countrymen and women to escape poverty in Germany, devastated by the Seven Years' War (1756-1762).

<sup>49</sup> The termination of privileges in the 1870s caused many Germans to emigrate to North and South America.

The Russian political tradition has always prioritized the strength of the state over individual liberties, showing a tendency to equate the state with the people (ethno-linguistic community) rather than with political civic community. Apart from national integrity, *social cohesion* is said to be at risk if the Volga Germans republic were to be restored. The concern is expressed that the establishment of the republic would cause ethnic conflicts and civil strife similar to those in other parts of the country<sup>50</sup>. The public good that the state is supposed to look after seems to be a broad and inclusive notion. The three protests may have different ideas of what the state has failed to do in a particular case, but all three share the understanding that the state has neglected its normative commitment to serve the collective interest of the public.

## **Environmental risk, public safety, and the destruction of chemical weapons**

The movement for the safety of the destruction of chemical weapons defines the collective interest (public good) as public safety, relating it to the safety of the environment. The policies exposed as wrong are the current government programme of the destruction of chemical weapons, and more broadly the policy of the accumulation of chemical arsenals during the Cold War. The main accusation raised against the programme is 'the state is exposing us to *danger*'. Having made an accusation, protesters proceed to provide evidence, or *proof*, that what they are saying is true, that the government policy does indeed puts human lives and the environment at risk. If we use the language of 'validity claims' (Habermas 1984, 325-6), we could say that protesters are making the validity claim of truth. There are two categories, or kinds of evidence, that they employ. On the one hand, they describe the flaws of the programme, in order to demonstrate that the latter fails to take into account many of the sources of *risk*. In doing so, they rely on the currently available *knowledge* of what constitutes a risk. The problem of chemical weapons is a problem of knowledge, or more precisely the incompleteness of technological

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<sup>50</sup> Most notably in the North Caucasus.

knowledge. The main sources of risk, as pointed out by protesters, are the absence of fully safe (reliable) technologies and the limited knowledge of the environmental impact of the process. Decision-making that disregards risks inherent in technologies constitutes a separate considerable source of risk. Thus, protesters argue that the inadequate safety provisions in the government programme make the destruction process more dangerous than it should be. The factors that undermine the safety of the programme are the choice of unsafe technologies and procedures of destruction, unrealistic time-schedules, inadequate funding, and insufficient safety control procedures.

The other type of evidence concerns the effects of chemical substances on human beings and the environment. To prove how dangerous the handling of chemical weapons could be, protesters cite health and mortality statistics in the region, which reveal higher rates of ill health and mortality in the localities surrounding the chemical weapons facilities. Several outbreaks of skin illnesses with unusual symptoms among the local residents and military personnel have been linked by protesters to accidents at the army chemical facilities and revealed to the wider public. Scientists close to the movement have carried out soil and water probes near the chemical weapons bases to demonstrate the degree of chemical contamination of the environment. Whereas the former kind of evidence sets out to prove that the destruction programme is flawed, the latter is meant to reinforce the point by showing the danger of chemical weapons in general. In both cases, factual information is used to support the claim that any handling of chemical weapons is potentially dangerous and requires extreme caution. To convince the audience that the other has acted wrongly, it is not sufficient that protesters are able to *prove* that the destruction of chemical weapons exposes people and the environment to danger. To be fully convinced, the public must believe that exposing people and the environment to danger is clearly unacceptable (wrong). To rephrase this using the concept of validity claims, protesters make an implicit claim to normative rightness, a claim they must be able to defend if their opponents are to question it. The proof that someone is exposing someone else to danger is not a proof that someone is doing something wrong. This course of action towards the enemy would not be

normally regarded as an offence. Protesters, however, assume that this constitutes offensive conduct.

The fact that they focus on constructing the proof of danger (as opposed to constructing the act of exposing someone to danger as wrong) belies their assumption that the opponent is unlikely to question the impropriety of this course of action, even if they are not unlikely to disagree on what does or does not constitute risk. Therefore the main efforts of the chemical safety movement are directed at establishing the degree of risk (danger) rather than the normative rightness of safety demands. It is not the case with the other two movements. The norms that they invoke are more controversial, or not as universally endorsed as the norm of safety is. Therefore, the wrong of the opponent's actions is not so self-evident. The issues at the centre of those conflicts are much more controversial: the political rights of ethnic groups composing a nation state and the state's role in regulating or controlling a free-market economy. But even in those cases when protesters do not have to argue something right or wrong, but assume something to be right or wrong, they still operate with notions of right and wrong. Some norms may be considered more problematic than others, yet the other's actions are always evaluated in terms of conformity to norms, regardless of how problematic the norm is (assessed to be). In the chemical safety case, the norm seems to be relatively unproblematic. Protesters themselves do not undertake to explain why it is wrong of the government to undermine public safety, beyond referring to the government's obligation to look after the public interest. Yet even though they themselves assume the norm of public safety to be unproblematic, one can still try to explain why they consider it so.

It seems relatively straightforward why chemical safety protesters in Russia (or indeed anyone) would assume that putting the environment (and ultimately, people's wellbeing) at risk is wrong. In the second half of the 20<sup>th</sup> century, *environmental concerns* (focused on notions of risk and danger) have moved to the centre of the public (and political) discourse in industrial societies, largely due to the efforts of the environmental movement. One may be tempted to view the chemical safety protest in Russia as part of the 'new politics' and the 'new social movements' of the late 20<sup>th</sup>



century. However, some considerations, which I shall explain below, preclude such an interpretation. The achievements of environmentalism have been largely of a normative nature: they have challenged the usual definitions of good and bad, right and wrong. They have put the instrumental rationality of technological progress under question. Thus, what has been traditionally seen as right (technological progress and economic growth) has been reconsidered as wrong (progress has been reformulated as unsustainable development leading to self-destruction of mankind through the destruction of the environment). Progress has had enemies since the beginning of the Industrial Revolution, but until the second half of the 20<sup>th</sup> century it was mainly criticized for undermining traditional values and ways of living. Now it is believed to be wrong because it undermines itself, because technological advances are not sustainable. To the extent that the chemical safety discourse is the discourse of the destructive impact of technologies on the environment, it could be considered part of environmentalist discourse. However, it is not technologies that present a problem for the environment in this case, but specific policy choices that overlook or underestimate the destructive potential of technologies. The danger is described as primarily local (health risks caused by chemical contamination), and the global implications are not discussed.

Environmentalism is often identified with the global perspective (the issue of sustainable development). The traditional conservationist discourse, on the other hand, is more locally oriented and is concerned with the disappearance of traditional environments and ways of life. The chemical safety discourse belongs to neither of these two strands of environmentalism. If it can be classified as environmental discourse at all, it is a specific version of it, where the concerns are about *health*, and the issue is elementary *survival*. Whether or not the chemical weapons destruction programme poses a serious threat to the health of the local population is debatable (and is indeed debated by the opponent). But the fact of debate itself confirms that safety is an issue. What protesters criticize in the government's actions is not the lack of environmental awareness, but the government's lack of concern for public safety, and this is not as much an environmental issue as an issue of failed *responsibility*. The accusation 'you expose us to danger' has only a distant connection to the

discourse of global environmentalism of the late 20<sup>th</sup> century. Focused on the notion of danger (risk), the chemical safety protest has more affinities with anti-nuclear movements than with pure environmentalism. One may need the discourse of environmentalism to challenge the wisdom (rightness) of technological progress and unrestrained economic growth. But environmental discourse itself is based on the understanding that the destruction of human life is wrong. Concerns about the global environment are ultimately about self-preservation. Concerns about the risks to life and health at the centre of the chemical safety protest do not need grounding in the environmental discourse. The issue in the chemical safety protest is a rather more elementary threat to life and the state's contribution to it. In this respect, chemical safety protests are similar to anti-war mobilizations.

Yet, although not exactly an environmental movement, the chemical safety movement owes its existence, to a certain extent, to the discourse of environmentalism. The increased awareness among the public of the risks caused by unrestrained technological (and economic) growth is one of the effects of environmentalism<sup>51</sup>. It has made protection of the environment (i.e. the *safety* of the environment) an issue, insisting that the global environment is at *risk*. It has described the risks to the environment as not always obvious, slow in the making and not fully known. In other words, it has made safety a *constant* concern. An important effect of environmentalism on the normative sphere of societies has been the introduction of environmental *legislation*. A whole new sphere of legal norms pertaining to the protection of the environment has emerged. Environmental concerns have also entered *policy-making*. In Russia this also has been the case, although the environmental movement has not been as influential as in advanced democracies. The accusation of endangering the environment (the wellbeing of future generations) is unlikely to have as much impact on the public consciousness in Russia as endangering lives of local people (through chemical contamination of the environment). Despite the involvement of environmental activists in the movement, with a prior history of environmental mobilizations, the discourse of environmentalism has left little impact on the chemical safety protest: it is not about

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<sup>51</sup> See Beck (1992) on 'risk society'.

protecting the environment, it is about protecting people. In Russia, where economic concerns continue to prevail, the ideas of environmentalism do not seem to have as much mobilization potential as they may have elsewhere<sup>52</sup>.

A peculiar difficulty faced by chemical weapons protesters, which imposes restrictions on what they can rightfully demand, is that the norm of safety that they accuse the government of violating is precisely the norm that the government itself draws upon to defend its actions. Though it may be right to demand safety, it would be wrong to demand that the government abandons its plans to destroy the chemical weapons, precisely because safety is the rationale behind the chemical demilitarization programme. Protesters cannot argue that it would be safer not to destroy the weapons. The government policy, after all, has the backing of the international community, the other 156 states that signed the chemical weapons convention. Protesters, therefore, cannot and do not demand to stop the programme. All they can legitimately demand from the opponent is to revise the programme (to make it safer). This amounts to a number of measures to reduce environmental and health risks, including safer destruction technologies, prohibition of transportation of chemical agents, inclusion of all sources of risk into the programme, tightening the safety regime at the destruction facilities, and constant monitoring of risk. Protesters take great care not to be understood as saboteurs of what is universally endorsed as the right policy. Whenever they raise accusations against the programme, they also vow their support for the destruction of chemical weapons in general. On the whole, the government programme is criticized for focusing on meeting the requirements of the convention instead of addressing the destructive impact of chemical weapons on people and the environment. The movement's demands attempt to repair this and shift the emphasis from the destruction of chemical weapons to the issues of safety of the local population and the environment.

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<sup>52</sup> See Pickvance (1999, 366) on the decline of environmental mobilizations in Russia after the transition to democracy was completed.

## Equality, entitlement, and the republic of Volga Germans

When the Commission of the Supreme Soviet made recommendations to restore the republic of Volga Germans abolished in 1941, the public outcry in the localities to be affected by the decision was that this represented an 'injustice'. The accusation of committing injustice fell on the policy that specifically sought to restore 'historical justice' by repairing injustices committed by the previous governments. One has in this case a sequence of government decisions, of 1918, 1922, and 1924 (which gradually established the republic of Volga Germans), 1941 (which abolished it), and finally 1989 (which sought to restore the republic), which are argued to be just or unjust, depending whose side in the conflict one takes. Though both sides, pro-autonomy and anti-autonomy, are pro-justice, they have opposite views on what constitutes justice. I shall consider how protesters against the republic view *justice*, what norms they mobilize to make their case. The grievances underlying the accusation of injustice are less *tangible* than the grievances that gave rise to the other two movements in the sample. Health risks (the chemical safety case) and financial losses (the deceived investors' movement) are more immediately obvious concerns: precisely what is implied in the accusation of injustice is slightly more problematic to define. Meanings seem to play a greater role in the construction of grievances in this particular case. Danger is primarily a problem of technology. The losses of investments were caused by ill-considered financial policies. But in the case of the opposition to the autonomous republic of Volga Germans, grievances seem to originate in about the definitions of justice and fairness.

The issue at stake here is the fair treatment of different ethnic groups within the nation, namely fairness in the distribution of resources among them. The resource whose allocation is being disputed in this case is *land*. Land here is not so much an economic category, a means of production, as a political category, a territory that a nation or ethnic group can claim as its own. One can say that it is a resource that determines the distribution of other resources within a society. Those who protest against the republic are concerned about losing land in its political sense, i.e. losing their *claim* to this land. The notion of distributive justice is differentially described as



being the issue of *equality* or *entitlement*<sup>53</sup>. Both of these principles play a significant role in the discourse of the anti-autonomy movement. The plans to restore the republic of Volga Germans are held to be wrong (unjust, or unfair) for a number of reasons. Firstly, injustice consists in privileging one group (e.g. the Volga Germans) over all the other (forty-something) ethnic groups living in the region (the largest being Russians, Ukrainians and Kazakhs). Moreover, the ethnic group in question forms a minority of the population of the region. The proportion of Volga Germans has always been low, and currently is less than 5%. Even if all the descendants of the deported Volga Germans came back to the region instead of leaving for Germany, they would make up no more than 25% of the population. Thus, justice seems to have a connection with numbers, both in terms of the number of ethnic groups and their proportional size. The first norm that the opponent has allegedly violated can be formulated as follows: a *minority* has no right to dominate the *majority*.

Secondly, the republic is believed to be unjust because it will lead to *discrimination* against the non-German population of the region. Non-Germans, it is argued, would have fewer rights and opportunities in comparison with the German population of the future republic. Discrimination would affect the spheres of political representation, cultural identity and access to economic resources. Protesters draw on the history of the former republic to provide examples of such discrimination in the past. If it happened in the past, where are the guarantees that it will not happen again in the future? The argument about discrimination reveals another norm, which is expected to regulate relations among different ethnic groups within the nation (or indeed different social groups within society). This is the norm of *equality* of access to resources and opportunities, which can also be formulated as equality of rights, or entitlements. Finally, the republic is argued to be unjust because the Volga Germans represent a peculiar ethnic group in the Russian state. Unlike most other ethnic groups, which have the right to a measure of political autonomy within the state, they have no such right, being an ethnic group that has its own nation-state elsewhere. Thus, norms of equality, in terms of allocation of rights to different ethnic groups

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<sup>53</sup> Compare, for example, Rawls's (1972) theory of justice as equal distribution of rights and duties, where inequalities are only justified if they result in everyone's benefit, and Nozick's (1974) theory of justice as differential distribution based on the principle of entitlement.

within the state, do not seem to apply in this case. There are rules for all and rules for some. The Volga Germans are said to have no *entitlement* to have their own 'land' on the territory of the Russian state as 'immigrants' to this state. Thus, they seem to be less equal than other ethnic groups, although the lack of equality in this case does not, in the protesters' understanding, constitute an injustice. On the contrary, it is said to be just<sup>54</sup>.

Thus, even if they were a majority ethnic group in the region, the Volga Germans would still have no right to have their own autonomous republic on the territory of the Russian state. It is this conviction that informs the movement's demands to declare the former republic of Volga Germans 'an unlawful formation'. Only those ethnic groups, according to protesters, which have 'always' lived on the land, have a political right to that land. The Germans can live on the land but cannot have a republic, i.e. cannot claim political ownership of the land, as immigrants from another nation-state. To support their position, protesters cite examples of other ethnic groups with no such right granted to them: Koreans, Poles and Greeks in Russia, Ukrainians in Canada, Turkish immigrants in Germany, and German communities outside of Germany. All of them have 'their' sovereign states outside the state where they happen to live, and it does not occur to any of those groups to demand self-determination. The Bolshevik government is said to have, deliberately or unwittingly, violated this principle of *differential entitlement* in 1918-1924 when it established the republic of Volga Germans. Thus, justice appears in two guises in the discourse of protest. On the one hand, there is justice as equality of entitlement (or equality of access to resources of some kind). The accusation of discrimination is

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<sup>54</sup> The principle of differential entitlement was embodied in the structure of the Soviet state. Here, too, one can find a combination of the principle of equality of nations and the differential allocation of rights to those nations. The Soviet Union was a hierarchical federation. Different ethnic groups had different rights with regards to sub-state political formations. The upper, privileged, tier was formed by the Soviet Socialist republics, 15 in number, which had the right to 'self-determination', including independence (which they exercised in 1991). Russia, the biggest among them, was also a federation, divided into territorial units (regions, or *oblast'*) and ethnic-territorial units (autonomous Soviet socialist republics). The republic of Volga Germans was one of them. The autonomous republics did not have a right to self-determination, or independence. Their other rights, in terms of representation at the national level, were also restricted. Further or lower still, there were ethnic formations within autonomous republics, called autonomous regions and districts (*avtonomnaya oblast'* and *avtonomny raion*), and within territorial units, called ethnic districts (*natsionalny okrug*). In addition to this, there were ethnic groups with no territorial formations.

seen as deviation from that principle. On the other hand, there is justice as differential entitlement. Giving something to someone who is not entitled to have it is perceived to be an offence against the norm of entitlement. The two principles seem to be in contradiction with one another, or at least represent two opposite tendencies in the justice principle. This, however, does not preclude protesters from arguing that the restoration of the republic would undermine both principles.

## **Lost deposits, rights of investors, and the state duty of protection**

If the theme of anti-autonomy protest is injustice (and that of chemical safety protest, danger), the word that best summarizes the issue of the deceived investors' movement is *protection*, or the failure of it. Although the guilty party in this case are the financial companies, the state receives its share of accusations for failing to protect its citizens from dishonest financial dealers. The charge reveals an expectation that it is one of the state's duties to protect the *property* of its citizens using its legislative and controlling powers. Similar views are articulated by theorists of modern statehood. Hobbes, for example, considered property and safety to be natural rights of individuals, which the sovereign, the state, is entrusted to protect (1946, 116-17). The idea of property is the idea of *right*<sup>55</sup>. It is not surprising, given this tradition of thinking, that Russian protesters should attribute protection to the state as one of its duties, and formulate their expectations of recovering their investments as a fundamental right. The mechanism whereby the state is expected to protect the financial assets of its citizens can be inferred from the more specific accusations raised against the government. Protesters hold the state responsible for a failure to exercise *control* over financial companies and advertising. The state is further blamed for a failure to provide a mechanism of *legal protection*, i.e. to pass laws which would have prevented or reduced the possibility of large-scale financial fraud. Finally, the state is held responsible for spiralling inflation and a massive

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<sup>55</sup> According to Hume (1960, 196), 'our property is nothing but those goods, whose constant possession is established by the laws of society; that is, by the laws of justice'.

decline in *living standards* that had led many people to join dubious financial schemes to protect their savings. Thus, the duty of protection, in protesters' understanding, includes not only protection by law and effective law enforcement, but also protection through economic policy, which can secure comfortable living standards for the majority of the population.

There are two aspects to the notion of protection, as protesters understand it, specifying who is to protect and what is to be protected. Protection *by the state* (the state's duty of protection) is also the protection *of rights*. The movement presents its efforts as an attempt to protect their rights, which the state on this occasion has failed to do. But this amounts to pressing the state to take measures to ensure protection: to compensate existing losses, as well as prevent similar losses in the future. The rights that require protection are described as 'the rights of investors'. No reference is made to law, the Constitution, or other charters of rights. The concept of rights is used to designate broadly-understood entitlements. It seems that the rights that are to be protected have to do with protection itself. The formula 'protection of rights' appears to be reversible and can also be read as 'the right to protection'. The notions of rights and protection are intertwined in this protest discourse. The use of the concept of rights in a broad way is, of course, not new. The latest examples of the use of the concept of rights to refer to entitlements which are not unanimously recognized (or reflected in the law) come from various new discourses: the animal rights movement, the anti-abortion movement and campaigns for the rights of children. The unfortunate bank customers in Russia set a similar goal for themselves: to have their expectations recognized as legal entitlements, or rights guaranteed by law.

The duty of protection is not the only duty that the state is expected to perform. One of the accusations raised against their opponent by the bank customers is a failure to maintain *order*. The Albanian example of mass-scale social chaos, caused by the collapse of fraudulent savings schemes in 1997, provides a convincing example of the appropriateness of this accusation. While the events in Russia occurred two years before the unrest in Albania, and the Russian crisis has never reached quite the same proportions, the Albanian scenario nevertheless partly confirms the inherent dangers



of the situation. In both cases the state has failed to act not only as the guarantor of rights but also as the guardian of social order. From the protesters' point of view, the crisis caused by lost deposits exposes the inadequacy of the government. The latter is not supposed to allow such things to happen. A good and proper government would have prevented this. The image of the state that emerges from the discourse of this movement differs from the images of the state conveyed by the texts of the other two movements. While the latter construe the state as an instrument of popular sovereignty and public interest, the investors' movement emphasizes the *protective* role of the state. The state is seen as the guarantor and guardian of rights in the broadest possible sense, including the right to a decent standard of living.

Protection of rights includes demands of compensation for the losses and the prevention of similar incidents in the future. In the language of legal discourse, that would mean *restitution* and *deterrence*. Protest appears to act as an instrument of justice similar to courts. To complete the analogy it should demand *retribution*, or punishment for offenders. This demand, however, is not central to the discourse of the three protests. Only few such demands are made. It is more typical of the movements to demand what I have called *rectification*: the correction of the opponent's original line of action, or, given that the opponent is the government, a policy change. The offender is expected to change their conduct and comply with the norms asserted in the discourse of protest. The deterrence measures meant to protect the rights of bank customers include measures of an economic and legal nature. Economic proposals involve setting up investment funds with state participation, which are expected to raise the funds to compensate the losses suffered by the investors. The legal measures are laid out in the draft law, called The Law on Protection of the Rights of Investors. The law specifies the same mechanisms of protection that can be inferred from the charges made against the government in the rest of the protest discourse. These are: control over financial companies by state agencies and public non-governmental organizations, access to information and provision of advice services to bank customers (justice as deterrence), compensation of material and moral damage from specially set-up compensatory funds (justice as restitution), and punishment of offenders (justice as retribution).

Demand for *restitution* (repair of damage) is also to be found in the chemical safety case. Here the movement demands that compensation is made to the victims of the chemical arms race for health damages they suffered, the damage to the environment is assessed and repaired, and future risk is 'paid for' in the form of free health insurance and social development of the localities. Demand for *retribution* (punishment) is strongest in the chemical safety case, where protesters have demanded investigation of the 'crimes' of the military committed during the chemical arms race, referring to environmental and health damage. Deceived investors, too, seek retributive justice for bank owners and managers for frauds that resulted in the massive losses of savings. Similarly, the anti-autonomy movement demands some form of assessment of the legal propriety of the separatist activities of the leaders of the pro-autonomy movement and their supporters in Germany. One of the demands addressed that frequently appears in the discourse of all the three movements is the demand to *admit responsibility* for wrongdoing (offence). Protesters may already hold the state responsible for the grievances they experienced; nonetheless, they want this confirmed by the opponent, so that the public is aware of it as well. To admit responsibility is to admit oneself guilty of committing an offence. In the absence of a judge or jury to pronounce a guilty verdict, the only way to establish guilt with certainty is to hear the offender admit it. Admission of responsibility would thus confirm that protesters are right to raise the allegations against the opponent. To sum up, expectations to the offender (the state) include: admission of responsibility, rectification of wrongdoing, restitution (repair of damage), retribution (punishment), and deterrence (prevention of future offences).

Identity is an aspect of a relationship. Relationship defines the identity of those who relate, and their identities define the relationship. The relationship between state and society is reflected in the identities that protesters adopt themselves and assign to the other. Unlike in court, where identities are determined by the relationship of litigation (plaintiff and defendant), in the case of protest, self-identification is rarely associated with the condition of being *wronged*. The most obvious example of this type of identification would be the identity of 'deceived investors'. Like in the case

of litigation, it is an ascribed (rather than self-ascribed) identity. Protesters may present themselves as victims, those who have been wronged, but they do not use this condition for self-identification. They prefer to identify themselves through their role in the process of *correcting* the wrong, as protesters or members of the protest movement. They also identify themselves by referring to the relationship *beyond* the moment of protest. Thus, in the chemical safety case, protesters refer to themselves and to those who have been wronged by the government policies as 'local residents' (*zhiteli*), 'population' (*naselenie*) or 'people' (*liudi*), and more rarely as 'the people' (*narod*). Protesters against this autonomy use the same categories, occasionally referring to themselves as an ethnic group, 'the Russians'. The word 'public' (*obshchestvennost'*) is almost never used by protesters as a form of self-reference, possibly because it is a fairly formal word, not as plain and straightforward as the others, with some lofty connotations and strong associations with official discourse. On some occasions protesters (namely, the deceived investors) have referred to themselves as voters (*izbirateli*) and taxpayers (*nalogoplatelshchiki*), to remind the state of its *dependence* on society.

But sometimes, though fairly rarely, protesters prefer to emphasize the opposite form of dependence, the dependence of society upon the state. The discourse of protest is informed by normative understandings concerning how the state ought to act towards society. The relationship that emerges if we analyze those understandings (as I have attempted in this chapter) is a relationship between state and society in a *democratic* polity. The state is expected to express popular will and be an instrument of public interest. Most of the offences identified by protesters have to do with failing those *responsibilities*. The relationship between the state and society is perceived as a *contractual* relationship. Even when the state is accused of failing to protect its citizens or to ensure order, its failure is perceived as a failure to fulfil its contractual *obligations*. What is being denied to the public (protesters) are their *rights* as citizens. But as prominent as this understanding is among protesters, another understanding has also survived, where the relationship between the state and society is perceived to be about *care* and *dependence* rather than rights and obligations. Among the offences that the state is accused of committing, the offence of

‘abandoning its people’ or ‘failing to care for them’ that protesters make on a few rare occasions, stands out as one that does not belong in the democratic discourse<sup>56</sup>. The state in these accusations is construed as a *caring* agent, whose primary duty is care for the *needs* of its dependents, the people. The relationship is more of a nature of a personal *bond* than of impersonal contract<sup>57</sup>.

## **State policy as offence against the law (natural and positive law)**

The normative understandings discussed thus far can be said to be *norms* insofar as protesters expect them to be observed. Accusations are raised and demands are made as if the norm that they invoke *existed* and was *known* both to protesters and their opponent. No *explicit* reference is made to the norm that has allegedly been broken. Rather, the norm invoked remains a background assumption, or an *understanding* concerning how the other is to act. The ontological status of the norm, its form of being, is an *idea*, a *particular* opinion that claims to be a *collective* opinion, i.e. is attributed to the community as a whole<sup>58</sup>. Wrong is something that we expect the others to recognize as such. Thus, norms are fixed in the collective (public) opinion and nowhere else. Societal disapproval is the best indication that a wrong has been committed. But societies have also invented more formal mechanisms than public opinion for identifying wrongdoing. (Ironically, those formal mechanisms in the end also amount to an opinion, although this time it is an opinion of a much smaller group of legal experts, i.e. judges and other legal professionals.) Societies have fixed some of the social norms by verbalizing them in the (written) form of *text*. Many

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<sup>56</sup> ‘We helped the state when it needed us; now that we are sick and old and no longer of any use, the state has abandoned us’, complains a former employee of the chemical weapons warehouse.

<sup>57</sup> See the discussion of the paternalist political tradition in Russia, in the previous chapter.

<sup>58</sup> Hume captured the tendency very well in the following observation: ‘When a man denominates another his *enemy*, his *rival*, his *antagonist*, his *adversary*, he is understood to ... express sentiments, peculiar to himself, and arising from his particular circumstances and situation. But when he bestows on any man the epithets of *vicious* or *odious* or *depraved*, he then ... expresses sentiments, in which he expects all his audience are to concur with him. He must here, therefore, depart from his private and particular situation, and must choose a point of view, common to him with others; he must move some universal principle of the human frame, and touch a string to which all mankind have an accord and symphony’ (1902, §222, p.272).



norms have become formulated as written *declarations*, or texts, the most prominent of them being texts of *law*. Laws are legitimated by a source of authority trusted by society at large (such as God, King, or the people). The ontological status of written norms (such as law) is more material (papers and books), even though written texts are not significantly different from oral utterances. Both are, in the end, *words*.

Law is a specific form of *contract*, signed by all members of the community, although the signing in this case is symbolic rather than actual. With the emergence of law, norms as collective *ideas* (tacit understandings, or opinions) become norms as formalized *declarations* of understandings, specifying what is to be considered right and wrong. In the tradition of political philosophy, this distinction is known as the distinction between *natural* and *positive* law (law of nature and law of the state, which supersedes the law of nature)<sup>59</sup>. The two types of norms (tacit and explicit) are also sometimes referred to as *common* law and formal (civil) law. In common law systems, the points of reference for judging right and wrong are previous decisions and practices, whereas in Roman law systems the point of reference is the text, or code of law (Pitkin 1972, 50-1). Some contemporary theorists of rules formulate the same distinction as a distinction between 'statutory rules' (originating in the statute) and 'non-statutory rules' (grounded in precedent) (Shwayder 1965, 273). The distinction is unavoidable. As Shwayder (1965, 275) observes, for statutes to exist rules must not all be statutory, as this would cause 'an infinite regress of statute promulgations'. Written rules, such as law, were meant, among other things, to simplify procedures of conflict resolution. What does or does not constitute an offence against the rules depends no longer on collective *agreement* about right and wrong (which is fairly unstable and difficult to secure, even if custom, or precedent, is used as a reference point), but on something much less controversial, written statements of right and wrong.

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<sup>59</sup> The positive law was understood either as the 'alienation' of natural right (Hobbes's view) or the 'preservation' of natural right by the state (Locke's view), depending on how the state of nature (prior to the emergence of the state) is conceived, as a normative realm or a realm of anarchy and conflict (Forsyth 1994, 44).

It is one thing to say that the opponent's policies are 'unsafe' or 'unjust' (by implication, wrong), and another thing to say that they go against the law. The accusations of undermining safety or causing injustice are complemented by accusations of breaching the law. Protesters can justify their normative claim by appealing to the system of legal norms, or norms institutionalized in the code of law. To violate someone's safety is not quite the same as violating the legal norm of safety, or someone's legal right to safety. Safety and justice, when made law, become rightful and legitimate expectations of members of the normative (legal) community. Accusations of a breach of law are not as common in the discourse of the three protests as accusations of a breach of tacit norms. If legal offences were the main charges against the opponent, correction would have taken a different form, a legal action against the offender rather than protest. Protesters do not quote the law as frequently as they can, either because they do not regard this as an effective way of showing someone wrong, or because the norms that have been violated are not legal norms. References to the *law* and *Constitution* in the protest discourse are extremely rare. The case protesters make against the opponent is, evidently, not a legal case. Rather, law is used to reinforce other charges brought against the opponent, the non-legal offences that form the core of protesters' arguments. There are a few references to specific laws that the opponent is said to have violated. Most significantly, the chemical safety protesters accuse the opponent of breaking The Environmental Law of the Russian Federation. Likewise, protesters against the autonomous republic of Volga Germans cite article 74 of The Criminal Code, which envisages prosecution for the propaganda of nationalism.

Participants in all three movements are more likely to refer to the Constitution. Just as the pro-autonomy movement condemns the abolition of the republic in 1941 as unlawful and unconstitutional, the protesters against the republic argue that the government decrees establishing the republic in 1918-1924 violated article 22 of the first Soviet Constitution, which prohibited privileging one nation over others. Similarly, going against the will of the public is not just an offence against the normative principles of democracy. It is also regarded as a constitutional offence. The government is accused of breaking the principle of popular sovereignty as stated

in articles 2 and 4 of the latest Russian Constitution. But more commonly, when protesters refer to the Constitution, it is not some particular articles that the other is said to have violated but 'the rights guaranteed by the Constitution'. It is argued, for example, that by exposing people to danger the authorities are disregarding 'the right of people to safety', their 'right to health' and even 'the right to life'. The rights, interestingly, are not to be found in the Constitution, even though protesters may say that they are. The rights that have been violated are *perceived* rights rather than *actual* rights. These rights need no grounding in any written charters of rights (such as the Constitution or, for example, the Declaration of Human Rights) to exist in the public consciousness as rights. Thus, even when rights are being mentioned as having been violated, it is not the actual letter of law that protesters refer to, but the entitlements which the law is expected to provide (the spirit of law, as it sometimes is referred to).

The government policies do not represent a legal or constitutional offence, but an offence against principles underlying and justifying legal and constitutional norms (or against natural law, which forms the foundation of positive law). For this reason, safety is perceived as a right to safety even though it is not defined as such in the Constitution. Yet, despite the fact that the breach of law is not considered to be the main offence that the opponent has committed, changes in the law are high on the list of demands addressed by protesters to the authorities. It seems that offence consists not so much in the *breach* of law as in the *omissions* in the law. Amendments to the existing legislation are among measures that protesters expect as part of the correction of the offense. It is the law itself that has to change so that the offence can be properly rectified. The law has to be set right to reflect the understandings prevailing in the normative community. Thus, chemical safety protesters demand revisions of the laws on state secrets, and regulating access to information on chemical weapons, so as to ensure the public's right to know about the risks it is exposed to. Withholding information by officials is regarded as an offence that must be made a legal offence involving punishment. The law is seen as one of the main guarantees of public safety. Protesters demand that all aspects of the destruction of chemical weapons should be clearly specified in the law, so that those who take

decisions on the destruction of chemical weapons abide by the law. Protesters against the republic demand to bring the legislation in line with norms of justice. This would involve abolishing the government decrees of 1918-1924 and more recent legislative acts on the restoration of the former republic.

I have so far argued that there exist two ways of showing that something is wrong. It could be wrong because we collectively *believe* that it is wrong (against tacit social norms) or because it has been collectively *declared* wrong (against explicit norms, such as law). But there is a third way of suggesting that the other is doing wrong. Chemical safety protesters accuse the opponent of committing 'crime' or 'murder'. Deceived investors describe what the other has done to them as 'robbery'. Do they mean what they say or do they mean it to a certain extent, i.e. use these words figuratively rather than literally? It seems that charges of crime, murder, robbery and such like are only meant as *metaphors* for the opponent's actions. What protesters do is *compare* the other's action to another action universally recognized as an offence. They do not really believe that the other is committing crime; rather, they are just trying to say that what the other is doing is *not unlike* crime, murder or robbery, i.e. something already recognized and condemned as wrong. Thus, something can be identified as wrong, because it reminds us of something else that we definitely know is wrong. We can draw an analogy between this act (that we regard as wrong) and other acts that in some respects resemble this one. In other words, something can be wrong when compared with something else, which we know is wrong.

If protesters really meant what they said, protest would be unnecessary. Instead they could take the opponent to court for committing murder or robbery, as these are criminal offences. This is a peculiar way of drawing on the law when making accusations against the opponent: constructing an offence by comparing the opponent's actions with those punishable by law. The accusation is not of murder but of something which resembles murder. The law that defines certain acts as murder or robbery exists, yet protesters prefer to use it indirectly, i.e. figuratively rather than literally. Perhaps they do not raise the accusation of murder or robbery because the precedent is lacking. What is likely to be described (literally) as murder is shaped not



so much by the law itself, but by the tradition of using or applying that law<sup>60</sup>. A whole range of actions with similar effects as the ones recognized as criminal offences are not registered in the public consciousness or in the code of law as murder. War and capital punishment would be the most obvious examples. Likewise, a policy of a legitimate government is unlikely to qualify as murder even though it may entail threat to life. A crime attributed to the opponent is a metaphorical incrimination; it is a metaphor of a crime. Metaphors establish an affinity between different things by erasing the boundary of difference, by asserting that one is the other ('A is B'), unlike similes, which keep that boundary in place ('A is like B'). But even though the boundary between the things compared is removed in text, language users have to remember that the boundary exists to be able to use and appreciate metaphors. Paradoxically, we can only say 'A is B', when we know that A is not B.

Thus, when protesters say 'your policy is murder/robbery/crime', they try neither to apply law, nor to rewrite it. Rather, they draw on recognized offences to make a point about offences that are not as well recognized. I have mentioned only a few metaphors, but protesters use a lot more. The most striking among them are metaphors of 'hostage-taking' ('you have made us hostages of the chemical weapons' or 'hostages of big politics'), 'genocide' (both with reference to chemical weapons and the republic of Volga Germans), 'war against one's own people', experimenting with 'human guinea pigs'. The imagery is that of cruelty, suffering, and death. Most importantly, however, all those metaphors contain an accusation of human mistreatment, of committing offence against human life. All those are undeniably wrong acts, or acts that few people would doubt are wrong. Whether those metaphors exaggerate reality or whether they adequately represent the threat (offence) is less relevant than the fact that they all convey an accusation: 'what you are doing is unacceptable'. And it is unacceptable by comparison to something else equally unacceptable. Perhaps, this *emotive* way of arguing that someone is wrong is more persuasive than rational argument, which makes no use of metaphors. Perhaps, the feelings of indignation and outrage are more easily aroused in the public by this

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<sup>60</sup> See Goodrich (1987, 185) on legal meaning being a product of legal discourse.

type of accusations. What seems more important is that, whether protesters appeal to emotion or reason, in both cases they make an implicit or explicit reference to norms that have been violated. Images and words by themselves are not persuasive. It is the norms they invoke that accomplish the task. Protesters may alternate ways of arguing something wrong, but they do not stop arguing that what the other is doing is wrong.

## **The moral dimension of state policies**

If justice is to be defined in the broadest possible sense as a set of norms that specify courses of action that individuals owe to one another, we may speak of three sets of such norms. There is legal justice – norms regulating relations among members of a legal community, coinciding with the boundaries of nation states or civil societies within nation states. There is social justice – norms prescribing how members of different social groups within the civic or political community are to relate to each other. Finally, there is *moral* justice – norms regulating relationships of a more *personal* kind. Distinguishing moral rules from other rightful expectations concerning the other's conduct may not be an easy task. For example, we may know that moral offences are those not specified in the law, but many legal offences are also moral offences. Ultimately all offences against social rules are moral offences. Durkheim may be right to equate morality with social rules of conduct in general (1973, 24; 1953, 35). The only criterion of a moral rule, for him, is the 'complete heterogeneity between the act and its consequence': moral rules are those rules whose consequence is *sanction* (Durkheim 1953, 43). Whenever a person acts out of *duty* he or she is acting morally. By contrast, utilitarian behaviour (towards one's good) is not moral behaviour. The idea of obligation cannot be derived from the idea of good, even though acting for one's own good is part of moral behaviour (Durkheim 1953, 35-6, 44-5, 47).

It may be true that all social norms are ultimately moral norms. But it is possible nonetheless to single out moral offences as a distinct group of offences, which are linked to norms regulating a specific kind of relationship between individuals, *interpersonal* relationships, where individuals are related as personalities rather than

members of social groups. Some may argue that moral offences involve hurting someone's *feelings* as opposed to denying them their rights. But this kind of distinction is difficult to sustain, since there is potential for emotional hurt in other kinds of offence. Morality is perhaps one of the most obscure and elusive systems of social rules. The rules of moral conduct are not clearly laid out in a single text. And given that social actors (as well as social analysts) have only a vague idea of what moral fairness is about, it is not an easy task to discern moral offences in protest discourse. The first moral rule that the other is accused of violating can be described as the rule of *compassion*. Those who suffer expect compassion from others, which also involves an expectation that the other does not increase their suffering. This is an entitlement that those who suffer believe they deserve from others. It is considered wrong to hurt someone who already suffers. The opposite of compassion is cruelty or indifference to suffering. Thus, actors are not defined through their social roles, but rather through their interpersonal relationship, and feelings for one another. This is to a large extent an emotional bond. They consider themselves entitled to a certain feeling from the other (compassion). This does not necessarily mean an entitlement to a certain course of action from the other.

When the unfortunate clients of the collapsed banks accuse the banks of robbing them of their money, they make some important qualifications to the accusation. They add that most of those who have been robbed are the elderly, the poor and the disabled, in other words, the most *vulnerable* groups of the public. The offence is all the more serious because the victims are those who least deserve it, who should have been spared such an experience, given that they are already disadvantaged. It is seen as wrong to increase the hardships of those who suffer already. By emphasizing the poverty (and vulnerability) of the victims, protesters mean to highlight the cruelty of the offence, the lack of compassion for those who suffer from misfortunes. Thus, mistreatment of the disadvantaged is considered to be an offence, alongside the alienation of property charge implied in the metaphor of robbery. In the controversy over the republic, both sides make an appeal to the norm of compassion. The Volga Germans deserve the republic not the least because they suffered many hardships and injustices under Stalin and after. Descriptions of their hardships play a central role in

the pro-autonomy argument. Likewise, protesters against the republic are not short of examples of suffering that the local population had to endure during and after the war (loss of homes and families following the German invasion and hard labour after the war). What these stories of suffering imply is that it is unjust to reward people who have suffered with more suffering. The case against the republic is made on the ground of compassion, among other grounds. Underlying the argument is the conviction that people do not deserve to suffer.

The second moral rule that protesters draw upon when assessing the opponent's actions can be described as a norm of fair *reward*. Just as suffering calls for compassion, contribution calls for reward. Good services are to be rewarded fairly. Not only do people who live on the Volga now deserve compassion for their suffering (which means 'no republic'). They also deserve to be rewarded fairly for their contribution to the welfare of the region (which again means 'no republic'). They justify their claim to the land by the fact that they contributed to its current prosperity. They have put in a lot of hard work to build the economy of the region from scratch in the aftermath of the war. And now, despite all the good they have done, they are to be forced to leave the region, which is going to be home to the republic of Volga Germans. Likewise, the pro-autonomy movement argues that they are not being fairly rewarded. The suffering they have endured without committing any offence is not a fair reward for their good services to the country. They contributed to the defeat of fascism and to the restoration of economy after the war. They have been good and loyal citizens even after they had been unjustly accused and sent to Siberia. They never complained and believed in the final triumph of justice. Not allowing them to have their republic is an injustice considering what they have done for the country. Denial of fair reward and as denial of compassion both equal *undeserved* treatment. Wrong in this case is something undeserved by the victim (the offended party)<sup>61</sup>. In this case, an offence has been committed to the

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<sup>61</sup> Aristotle in 'The Art of Rhetoric', makes the notion of just deserts central to the definition of sentiments of pity and indignation, defining the former as 'grief at undeserved misfortune' and the latter as 'grief at undeserved success' (Aristotle 1991, 165). Some contemporary scholars of justice equate the idea of just deserts with the idea of justice (see, for example, Raffel 1992).



extent that one does not deserve to suffer its consequences, rather than because certain rules have been broken.

The third group of moral rules that the opponent is accused of violating are rules of *sincerity* and sustained *commitment*. When someone commits oneself to a certain course of action, or rather declares this commitment to the other, one is making a *promise* that he or she will be expected to keep. Because by issuing a promise one creates a rightful expectation in the other, breach of promise is likely to be regarded by the other as an offence. The rule of commitment is the rule of keeping promises. The rule of sincerity is related to the rule of commitment. One is expected to be sincere when making promises, i.e. declaring a commitment. *Deceit* is an accusation raised against someone who has failed to observe that rule, someone who has faked commitment and thereby deceived or misled the other. Both offences can be described as a breach of *trust*. Accusations of *breach of promise* occur fairly frequently in the discourse of protest. The authorities are charged with stepping back from commitments made in their own earlier declarations, written or oral. What in this case is being condemned as wrong is not keeping one's word. Thus, in January 1992 President Yeltsin paid a visit to the region at the centre of controversy over the republic of Volga Germans. While he was there he made a promise, addressing a huge anti-republican rally, that there would be no republic in the region. Just two months later, he signed an agreement with the German Chancellor, committing himself to a different course of action. Protesters were outraged. The President's broken promise became the central issue alongside the injustice of the republic. The new and heavy charge against the government was that 'the president deceived its people'.

It is remarkable that a politician's broken promise is still regarded as an offence by the public, despite the fact that they do it (break promises) so regularly. Even though the expectation is that politicians are likely not to keep their promises, it seems to coexist alongside an expectation that they ought to. Perhaps in the Russian public consciousness, politics still has (or is expected to have) a moral dimension to it. It seems that the relationship between the authorities and the public in Russian society

must have a certain moral depth to it in order to be approved by the public. Notions of trust and betrayal, which may play a lesser role in Western democracies, still seem to be salient in the East. In Russian, both offences, making an insincere promise and breaking one's promise, can be described by using the word 'deceit' (*obman*). The accusations of deceit are by no means confined to the anti-republican movement. The chemical safety protesters bring the same charge against the military, who are accused of deceiving the government and the people by secretly pursuing research into new chemical weapons after the country declared its commitment to the destruction of chemical weapons. It is the deceived investors, however, who make the most of the concept. They make deceit the primary accusation, the arch-offence. This has earned them the name 'deceived investors' among journalists. Those who are accused of deceiving the people are characterized as dishonest bankers and insincere advertisers. The banks held responsible for the losses are referred to as 'financial rogues', while TV commercials, which share the blame for the losses, are described as 'shameless lies'.

The description of their predicament as 'deceit' reveals the peculiar way in which bank customers perceive (or like to perceive with hindsight) their contract with the banks. The notion of risk seems to be absent from it. Rather, the contract is seen as a fair exchange of deposits for high returns. Hence the accusation of deceit: the promises of high returns were not kept or were dishonest from the start. Loss of deposits is construed as breach of trust. Not only is there a moral dimension to politics in Russia, there seems to be a moral side to the newly emergent market as well. The moral economy of these Russian bank customers is not dissimilar to the moral economy of the 18<sup>th</sup> century English crowd (Thompson 1991). In both cases there is a country in transition, from an economy based on moral notions to one stripped of moral considerations. Need and contribution were two criteria that supposedly regulated the distribution of wealth under the Soviet system: from each according to their labour, to each according to their contribution or (where the contribution cannot be reasonably expected) need. In the West too, the moral economy is not a completely obsolete notion. Consider, for example the practice and ideology of the welfare state, as well as recently introduced notions of ethical

business-making and ethical consumer behaviour. In this context the moral economy of Russian bank customers does not seem so peculiar.

The last group of rules to be discussed in this section may not belong to the category of moral rules, because they describe (and prescribe) how society is to treat a specific *social* group. I have described moral rules as rules that regulate relationships between individuals rather than occupants of specific social positions. The social group in question is *children*. And the rule is that children are to be protected. Children are one of the central themes in the chemical safety discourse. One of the common accusations is that children are getting hurt. As one local resident put it, 'our health may have been ruined [by chemical weapons] and, even if it's hard, we will have to accept it, but we have children and grandchildren. They must stay healthy. The younger generation must have a better lot.' That children will be hurt seems more unacceptable than adults getting hurt. A connection is also made between children and the *future*. They are our image of the future, which is supposed to be better. There is an enduring cultural belief that children should have better lives than we did. The value of the group is both private (their importance for their families) and public (survival as a nation and the human race in general depends on their good health). Leaflets persuading the public to join the protests read: 'the life and health of your children depends on you'. Participation in protest is presented as a duty before one's children. This is not only a rhetorical device. One of the organizations within the protest has 'children' in its title and defines its task as monitoring the health of children in the affected areas.

One can define social rules as reasonable expectations concerning the others' conduct towards oneself. The expectations occur within and confirm the existence of a social relationship between the two actors. The relationship that I have examined in this chapter is the relationship between the state and society. This relationship is regulated by different sets of rules. Some of these rules are *particular* rules typical of this relationship. These are norms of democracy: the norms of popular sovereignty and public interest. Other rules are of more *general* nature, not specific to this

relationship. These are legal and moral norms. The two dominant themes of the protest discourse can best be summarized as 'is' and 'ought', the *wrong* that the other is accused of committing and the *right* that should replace the wrong. Thus, the 'is' in this case is the failed 'ought', and the 'ought' is the prospective 'is'. The notion of ought, however, is problematic, given that most of the normative understandings that protesters draw upon are tacit understandings rather than clear-cut rules, such as, for example, legal norms. Whether the normative relationship between the state and society is as protesters describe cannot be established with certainty. What is certain, however, is that it is a normative relationship. The opponent may question the specific norms that it is alleged of violating, but does not question the fact that the relationship is regulated by normative understandings. The problematic status of protesters' normative claims will be addressed in the next chapter.



Part Three:

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## **Problematic Integration and Problematic Theory**

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## **Paradox of Protest: Reflections on Normative Dis/Agreement**

### **Disagreeing to agree, and disagreeing to disagree**

A conviction that informs much of the theorising of protest within sociology is itself pre-theoretical. The assumption that most theorists start with and then proceed to develop is that protest represents an attempt to *prevail* over the adversary by mobilising (resources that yield) power. In the preceding chapters I have tried to expose the inadequacy of this view. I have argued that protest must be understood as an attempt to reach *agreement* with the opponent and with the other audiences of protest, most notably the public. Insofar as protesters and their opponents are bound to one another by normative commitments, i.e. insofar as theirs is a normative, rather than simply power-based, relationship, in order to prevail over the other they must be able to demonstrate that they are right and the other is wrong. That they are doing just that is evident, for example, from the discourse of protest, and in particular from the elaborate normative argument that protesters create to support their case and undermine the opponent's position. Like other actors engaged in disputes (such as marital, political, legal or academic ones), protesters and their opponents appeal to shared normative understandings in an attempt to persuade the other as well as the third party, the public, that their claim is more *valid* than the other's.

Social conflict, therefore, is a case of normative disagreement that both originates in and is oriented towards agreement and, to a much lesser extent and in some circumstances only, represents a case of resistance to and mobilisation of power against an adversary. They are unlikely to be familiar with Habermas's concept of

communicative rationality, but protesters in post-Soviet Russia do seem to engage in communicative action, at least to the extent that they attempt to resolve disagreement by making normatively valid claims. The coercive element in the discourse of the three movements is insignificant in comparison with the normative argumentation they employ. Nor can one dismiss this as a peculiarly Russian feature, a 'moral bias' of that country's political culture or a reflection of the weakness of its civil society. Protesters everywhere seem to attach importance to normative argument whether or not they choose to rely on it alone. One need only recall such contemporary Western protest themes as animal rights and welfare, cancellation of third-world debt, or the risks of genetically modified foods. Away from the public eye, protesters may be engaged in planning how to maximise strategic advantage and increase success opportunities, but in public they always claim the high moral ground and appear as 'righteous rebels' fighting a just cause.

To the extent that protesters are making normative claims and act in accordance with shared normative understandings, protest represents an act of *rule following*. This may seem problematic given that protest differs considerably from the type of action we tend to associate with rule following: namely, actions that routinely reproduce normative order. Indeed, it would be difficult to describe protest as an act of *routine* rule following, since in most cases it involves acting in a *non-routine* way, although nonetheless acting on the knowledge of social norms. Protesters act as they believe it is right to act and claim what they believe it is right to claim. This, however, may often go against what others believe to be right. The most remarkable thing about protest as rule following is that it can also be easily confused with *deviance*, i.e. breach of rules. Protesters may be perceived as rule-breakers by their opponents, but they also accuse the other of deviance and claim to be acting so as to rectify a breach of rules and restore normative agreement. Protest seems to reveal one important thing about normative order – namely, that *integration* does not exclude *disagreement*: on the contrary, normative disagreement is an essential element of normative integration.

Protest is a specific type of rule following: it is a form of imposing sanctions on the other for wrongdoing. The point of protest is to correct offence, or *misconduct*, i.e. to enforce and protect a rule. Indeed, protesters' actions are analogous to those of official law-enforcement agencies, except that protesters act as self-appointed law enforcers, and that they seek to rectify more than punish. When they raise accusations or threaten disruption to social order, they want to convey the message, 'you cannot act the way you do because it is wrong' (you cannot commit an offence, although you are committing an offence). When they rely almost exclusively on normative argument, protesters expect that by stating the fact of offence publicly, by pointing it out to the opponent that they are committing an offence, they can persuade the opponent to change their mind and give up the offensive course of action. To expect this they have to assume that the other shares their commitment to the norm they are trying to protect. In other words, to make normative argument protesters have to assume that the other subscribes to the norm they are violating, i.e. that they are acting against their normative commitments. It may be reasonable to make normative argument if protesters believe that the other is unaware of committing any offence. If, however, they believe that the other offends knowingly, then the use of normative argument seems to make no sense. If protesters assume that the other is capable of breaking their normative commitments, then they cannot expect their normative argument to succeed (and if they do not expect it to succeed, why use it?), since intrinsic to normative argument is a belief that people act on their normative convictions.

Moreover, protesters seem to be well aware of the fact that the use of normative argument does not guarantee success. Indeed, had they been certain that the other would agree that they are committing offence, they would not have needed to create such an elaborate argument and to draw on the support of the third party (the public). It would suffice to say simply, 'Sir, you are standing on my foot.' The fact that they are saying much more than this shows that they anticipate disagreement and counter-argument, i.e. that the fact of offence is not quite certain, and anticipating that the opponent will try to demonstrate that they are right and protesters are wrong. In fact, both tend to claim that they are acting in accordance with shared normative



understandings and accuse the other of deviating from those shared understandings. But can the two parties accusing each other of committing offence, yet failing to agree on what constitutes an offence, really claim to share normative understandings? If they do subscribe to *different* norms, they cannot but disagree. But in this case they must agree to disagree, in the same way as, for example, two people agree not to share aesthetic preferences. Yet if protesters and their opponents do the same (agree to disagree), they will not be able to accuse each other, since their accusations would be meaningless. It seems that while they are unable to agree they also are unable to tolerate disagreement. While agreement is problematic, disagreement is no less so. They both *disagree to agree* and *disagree to disagree*.

I call this the paradox of protest. As in any project designed to reach an agreement, protest can only be undertaken and expect to succeed if there is prior agreement between sides that disagree. Protesters, however, tend both to *assume* the existence of such agreement and to *deny* it at the same time. The use of normative argument rests on two mutually exclusive (paradoxical) assumptions. On the one hand, they believe that the other owes them an agreement because they believe that the other subscribes to the same norm (shares their normative understandings). On the other hand, they doubt that the other owes them an agreement, as they also believe that the other may not share their normative understandings, and also that the other is capable of neglecting their normative commitments. That they use normative argument points to the fact that norms are shared (and also that they believe it can bring success, i.e. secure agreement). That they remain uncertain about the outcome and therefore have to rely on support of the public (the third party) points to the fact that norms may not be shared after all. Protest involves making normative argument to secure normative agreement, but making it in the knowledge that normative agreement is problematic. Thus, protesters both *expect* that normative argument will result in agreement, and simultaneously *do not expect* that it will.

Both expectations are grounded in the actors' knowledge of social reality, and both seem to be justified. This, however, presents a problem. To the extent that one denies the other, each of them remains problematic. The assumption about sharing

normative understandings with the opponent appears to be both right and wrong. This constitutes a *contradiction*, or problem in understanding. As a problem in understanding, contradiction is not a stable condition. It may seem that protesters embrace and tolerate a contradiction in their understanding, but in fact they are trying, by acknowledging the contradiction, to resolve it. Two considerations contribute to the uncertainty felt by protesters about the outcome of their normative argument. One is that norms are not clear-cut and indisputable because most of them exist as tacit understandings rather than written rules. The other is that norms may sometimes fail to bind actors even if they subscribe to them. These two considerations may help to explain why normative argument can fail to work, but not why it is made, i.e. why it is expected to work. Protesters are neither naïve nor mistaken. We cannot dismiss one of their expectations as irrational without also dismissing their whole effort as irrational. Norms may be unclear, but they are still binding insofar as they are norms. Protesters may believe that people can break their commitments, but they also believe that people *have* normative commitments (in fact the first belief makes little sense without the latter).

The paradox of protest raises questions about rationality of protest. The resource mobilisation theory since its rise to prominence has always promoted the image of a rational collective actor capable of making informed competent judgements about the means and opportunities for success. This rational choice model of actor does not take into consideration the normative environment of action, or that protesters make use of normative arguments and appeal to the other's normative commitments. Rationality of protest seems to involve much more than the rational choice model of a rational actor can cope with. Once we abandon the traditional instrumental rationality framework and substitute it with a normative rationality framework, the rationality of protest appears to be a much more complex issue. At times it may even seem that protest is not at all a rational act. It is not rational, for example, to accuse the other of committing an offence knowing that no explicit set of rules defines it as such, or to appeal to the other's normative commitments knowing that they can disregard their commitments, as they did when they committed their offence. The uncertainty of agreement makes normative argument problematic and those who rely

on it problematically rational (acting on unrealistic expectations). Yet it may also be that our conception of rationality is deficient or limited. We cannot assess normative rationality in instrumental terms. Normative reasoning is not a means to an end, but a mode of existence in a relationship. To understand the rationality of protest we need to understand the nature of normative integration, or dis/agreement.

Protesters and their opponent alike claim to be acting in accordance with rules that define their relationship. Insofar as they do, they seem to agree with each other that their relationship is regulated by rules that commit both sides to certain lines of action. Yet the claims that both sides make referring to those rules tend not to be accepted by the other side. They lead to disagreement, which reveals a lack of understanding (agreement) between them concerning *what* rules regulate their relationship or what lines of actions are prescribed to them by those rules. Both sides consider each other bound by agreement, yet most of the time they find themselves disagreeing and arguing with each other. At the same time both of them are determined not to tolerate disagreement but arrive at an agreement. Considering that agreement between them is problematic how can they reasonably hope to reach agreement? This is the kind of question that Habermas concerns himself with in his theory of communicative action. He believes that a truly normative agreement is a highly problematic thing. Power imperatives (or interests) tend to interfere with actors' normative judgements, forcing some actors to demand and other actors to accept what they would not have demanded or accepted in a power-free situation (the ideal speech situation). The answer he has offered is not entirely satisfying. But before I can proceed to discuss it, it makes sense to consider more general issues of rule following and normative agreement.

## **Rules, deviance and reproduction of order: a critique of social constructionism**

In sociological theory rule following is closely associated with the routine reproduction of social orders. In its most explicit form we find this in Garfinkel

(1967) who conceives of rule-based order as the *normality* of everyday life. Likewise, Goffman (see Manning 1992, 73) thinks of rule-following as very much an *intuitive* act, rules being shared taken-for-granted understandings that steer us through social interactions. This argument can be traced back to Durkheim (1973, 28) who also links habitual and rule-governed action. Durkheim, however, starts from the other end: he does not discover rules *in* normality but believes that rules can generate normality without always expressing themselves *as* normality. In a different way, another group of scholars make a similar argument reiterating the same connection between rules and routine social action. The group is known as the social constructionist school. Like Goffman and Garfinkel before them, Searle (1995), Barnes (1995) and Bloor (1997), representatives of the school, view rules as social *competencies* and routine social actions as competent social performances. They further argue that rules *constitute* social institutions much like the rules of a game constitute a game which would not be itself without those rules prescribing certain lines of action (moves) to players.

The social constructionist position sets itself off against a more common understanding of rules as *constraints* on activities, or as *regulations* that compel (on two types of rules see Rawls 1955 and Giddens 1979, 66). Whereas regulations are seen as *imposed* orders and therefore are not readily associated with routine<sup>1</sup>, constitutive rules are described as *regularities* that arise spontaneously and henceforth reproduce themselves more or less unproblematically. There is, of course, a close affinity between rules as regulations and rules as regularities. Regulations, i.e. prescriptions concerning what people *ought* to do, seek to produce regularities, i.e. patterns of action reflecting what people *tend* to do, although the regularities that emerge do not always vindicate the regulations<sup>2</sup>. Regulations are also meant to deal with certain, undesirable, regularities in behaviour and seek to stop or modify them. The social constructionist school (Barnes, Bloor and Searle), however, explains regularities and how they come into being without recourse to regulations but

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<sup>1</sup> On the contrary, rules understood as regulations (or constraints) imply the suppression of natural inclinations, or dispositions to act, such as, for example, biological needs or material self-interest.

<sup>2</sup> Consider the effects of prohibition (temperance) laws and policies which produce a steady rise in illegal production and trade in alcohol.



through reference to regularities themselves. To follow a rule does not mean to comply with a regulation but to act as everyone else does, i.e. in accordance with a regularity, or, as they put it, 'the tacit *consensus* of action' (Bloor 1997, 15, citing Wittgenstein).

Rules are associated with consensus, but of a specific sort: consensus expressed in action. This is different from the concept of consensus to be found in the social interactionist approach (exemplified by Goffman and Garfinkel). The latter consider rule-following action to be expressive of and underpinned by consensus (shared tacit knowledge of procedure), whereas social constructionists understand consensus to be constructed (constituted) through action. By reducing rules to regularities constituting social institutions, social constructionists seem to attempt to remove the ambiguity, which is intrinsic to most social rules. Every norm (rule) has a dual ontology, existing both as *ought* and as *is*. A poster advertising a bisexual student society nicely captures this internal tension within existing norms: 'heterosexuality is not normal, just common'. Something is a norm because it is believed to be right (regulation), and something also is a norm because it is common practice (regularity). The tension lies at the core of the normative integration problem. Social constructionists only manage to disguise the problem rather than eliminate it. They accomplish this by introducing a self-referential concept of rules. Rules are being defined as something that we *collectively* take to be and follow as rules, i.e. 'collective patterns of self-referring activity' (Bloor 1997, 33).

According to social constructionists, this defines rules *absolutely*, in the sense that no further clarification is needed as to *why* actors believe something to be a rule. Rules are completely self-referential: the *content* of a belief about there being a rule is created simply by the collective *act* of believing. Bloor is convinced that this solves the problem of circularity in definition, which has been a constant target for criticism of the self-referential theory of rules. He argues that the object of reference (rule) and the act of referring (to rule) are to be considered one and the same thing (Bloor 1997, 34). The act of referring (to *something* as a rule) *creates* the object of reference (makes something a rule), provided that the act of referring is not a single act but a

collective multiple act. One of the points made forcefully by social constructionists (which they borrow from Wittgenstein) is that there can be no *private* rule following in the absence of collective rule following, essentially because one cannot *bind* oneself. It takes a collectivity to socially construct something as a rule, i.e. to bind itself. But just how much collectivity is sufficient for such task? The question is pertinent because of the implications for explanation of deviance (deviation from rules). Bloor seems to think that rules can only exist as a product of a *total* collectivity, or society as a totality: 'isolated groups', just like isolated individuals, cannot bind (1997, 71).

A reasonable question to ask is why is this not possible? With rules being a collective product, why is it that the only 'measure' of collectivity that can produce binding rules has to be the totality of collectivity? The answer to this question is: because self-referentiality implies totality. Collectivity produces rules (i.e. binding) by creating self-reproducible (and self-referential) patterns of action. Binding, thus, is seen as a product of the 'tacit *consensus of action*' and not, for example, an outcome of collective *decision-making*. Private (or group<sup>3</sup>) rules could not appear in a *completely* self-referential system. In a self-referential system people must act *as* other people do and *because* other people do, since the only way they can understand the rule (how to act in that system) is by observing others' behaviour and learning from others' beliefs. Therefore, collective rules that are products of limited collectivities cannot be binding, because any such binding would have to rely on something other than self-reference. It would have to use criteria *external* to the consensus of action itself. Instead of deriving one action from another (or others), as the self-referentiality argument goes, it would have to rise *above* action and appeal to something *beyond* it.

When binding is understood as self-referring totality of action it is incompatible with any kind of disagreement. Disagreement signifies the failure of a self-referential system to reproduce itself. According to social constructionists, consensus of action

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<sup>3</sup> Meaning: generated by a less than total collectivity.

makes rules 'objective', 'external' and 'impersonal' criteria for distinguishing acts of true rule-following from a subjective belief that one is following a rule (Bloor 1997, 17). If subjective beliefs do not count as rule-following, how do we explain that such mistaken beliefs can come into being? Why, in spite of having these external and objective criteria, do some actors continue to insist that they are following a rule? The source of these subjective beliefs cannot be the self-referential system itself. Because private rule-following is not true rule-following it qualifies as deviance. Deviance presents a problematic case for the self-referential theory of rules. The latter is able to explain why some actions are to be described as deviance, but not why deviance occurs, or why some deviance insists that it is not deviance. In the absence of external reference, motivation for deviance, just as the motivation for rule-following, must be located within the self-referential system. Rule-following deviance should be a result of an expectation of other's actions (deviance). Thus, no case can be made for breaking rules unless everyone else does the same, i.e. unless it becomes a collective (total) case of deviance.

But once it becomes collective it ceases to be deviance and transforms itself into a new rule. This follows on from the argument about rules constituting social institutions. A rule cannot survive as a rule if everyone stops taking it as such. Because rightness is consensus (of action), should everyone choose to deviate, what was formerly wrong would therefore become right<sup>4</sup>. Thus, the only way to be right is to be right with others: together, collectively. That leaves no space for disagreement about right and wrong. Any claim about rule-following remains unfounded unless it is grounded in the tacit consensus of the total collectivity. The theory is unable to explain intentional deviance. The only possibility for deviance to emerge within self-referential systems is a failure of judgement. Deviance can only occur through a mistake and not knowingly, through intention. The social constructionists themselves do not see deviance as a problem for their argument. Quite on the contrary, they

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<sup>4</sup> Consider examples of mass looting (see Searle 1995, 91 on looting during the LA riots). The same case best highlights the situation of normative disagreement. While looters may consider it to be an acceptable thing to do on the spur of the moment, even though some of them would not have stolen anything from shops before (the emergent norm situation), shopkeepers clearly do not see it that way, believing it to be wrong at all times.

argue that both rule following *and* deviance constitute the social institution of rules in equal measure. Consensus is maintained not only by collective rule following, but also by 'collective monitoring, controlling and sanctioning' of deviance (Bloor 1997, 17). Obviously, the monitoring, controlling, and sanctioning (as well as the following of rules) are performed by rule-followers rather than deviants. Consensus therefore is maintained *despite* deviance, not *through* deviance as well. This effectively excludes rule-breakers from consensus<sup>5</sup>.

The self-referential theory of rules runs into the same old problem that social theories of order have long struggled with and have yet to resolve. On the one hand, they postulate rule following as *the* mode of reproduction of the system. On the other, they *practically* admit the deficiency of the principle of integration/reproduction when they try to explain instances of action that go against that principle, such as deviance. One theory is offered to explain unproblematic reproduction of the system, and another to account for the system's attempts to prevent problems in reproduction (deviance). Deviance is not considered to be the *product* of the *system*! Yet the presence of deviance indicates problems of integration that the theory presents as unproblematic - in fact doubly unproblematic, normative integration being substantiated by sanctions. Deviance exists within the system yet in spite of the system. It is regarded as a failure of integration. But the causes of such failure and the motives for deviance remain unaccounted for (for a thorough treatment of the problem see Holmwood & Stewart 1991).

According to social constructionists, consensus about rules is manifested in action, which in turn confirms and maintains consensus. Yet this does not seem to be the case, not if they admit the necessity of controlling, monitoring and sanctioning to maintain that consensus. If we admit the existence of deviance and sanctions aimed to exclude or reduce it, then we admit that consensus does not rely on belief about itself. On the contrary, it seems to reflect upon itself and recognise itself as

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<sup>5</sup> The only way rule-breakers can make their contribution to normative consensus is in their capacity as receivers of sanctions for rule breaking. Yet this will be precisely the consensus from which they have been excluded.



insufficient and incomplete: in other words, it sees itself as a lack of consensus. Part of collectively believing something to be a rule is collectively believing that some or many would fail to recognise it as a rule and fail to comply with it<sup>6</sup>. Thus, to believe collectively that something is a rule is to believe in its limited capacity to generate consensus about its status as a rule. Fundamentally, we as actors remain uncertain about our collective ability to generate consensus, i.e. hold something as a rule. In effect, we cannot collectively produce a rule by mutually believing it to be a rule! The social constructionist argument seems unsustainable. Sanctions are grounded in a lack of belief in consensus, but whatever is maintained by sanctions is not a consensus. It seems that the only way we can make a rule is not through collectively mutually believing it to be a rule, but by introducing sanctions to prevent as many people as possible from departing from it<sup>7</sup>.

We encounter a paradox here. On the one hand, we expect people to follow a rule *because* we know them to know it to be a rule. On the other hand, we expect people to break a rule *despite* the fact that we know them to know it to be a rule. To give an example, we expect others to keep promises once they have made them. But we also expect them to be widely capable of breaking promises. Thus, as actors we find rules simultaneously compelling and not compelling. Part of knowing something to be a rule is knowing that as a rule it should be capable of generating compulsion, while also knowing that as a rule it can fail to generate compulsion. Thus we simultaneously locate compulsion *within* and *outside* rules. We judge that compulsion is intrinsic to rules and that it is disconnected from rules, hence sanctions to generate compulsion. As actors we show the same understanding of rules as the one offered by the social constructionist theory of rules as well as by most social theories of order. The prevalent commonsense as well as social theoretical view is that knowledge of a rule is not in itself compelling: norms exist separately from commitments and this separation creates the necessity for sanctions.

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<sup>6</sup> Judging that we have to impose sanctions, we are probably inclined to believe that it is many rather than some.

<sup>7</sup> This suggests that actors do consider rule breaking to be detrimental to the very idea of there being a rule, which vindicates to a certain extent the idea that rules constitute social practices.

Yet if this view is correct, and rules and compulsion are separate issues, then why do most actors suppose that people should follow a rule because it is a rule? And why do sanctions have to be legitimized by appeal to the moral authority of rules? It seems that actors (as well as theorists), while they like to separate norms from commitments, also tend to assume that they are inseparable. Yet the endorsement of sanctions as a mechanism that can generate rule-following is not compatible with persistence in the belief that rules can generate compulsion of themselves without recourse to sanctions. To assign efficiency to sanctions is to assume that actors are motivated primarily or exclusively by material self-interest. The next step would be to argue that rule-following behaviour is merely a case of interest-motivated action. Thus, unexpectedly, and somewhat inconsistently for an advocate of self-referentiality, Bloor argues that compelling properties of rules lie beyond rules themselves and beyond the processes of self-reference, in 'instincts, ... nature, ... experience, ... purposes, ... training, ... sanctions, and so on' (1997, 20). It seems from this account that compulsion is located everywhere but in rules themselves. He is also convinced that this admission does not detract from his argument about the self-referential nature of rule-based systems in any real sense.

Like other social theorists before them, social constructionists, having proposed a normative theory of order, seek to reconcile it with the instrumental model of an actor who is motivated by self-interest. They start with an assumption that the reproductive needs of social systems are served by individuals following rules. They also, however, acknowledge that actors who reproduce social systems by following rules act not only with regards to rules but also with regards to their interests. Interests are considered to serve individual reproductive needs better than rules. A gap emerges between individual reproductive needs (served by interests) and those of the social system (served by rules). Therefore, to provide for the reproductive needs of the system, individuals must be compelled to restrain their asocial motivations (interests) and made to follow rules. The only way society is considered to be able to restrain interests (make individuals follow rules) is by activating the same motivating mechanism that it seeks to restrain (by making rule-following compatible with interests). This is known as the rational choice argument (see Coleman 1990, Abell

1996, Skyrms 1996, Harsanyi 1980)<sup>8</sup>. It maintains that rule-following is motivated by interests; that is, by the superior utility to be found in cooperation with others.

However, utility of cooperation (rule following) is conditional on others' cooperation (rule-following). And the latter is inherently problematic, because free riding has superior utility to that of cooperation. To eliminate free riding they have therefore to supplement utility with sanctions. Only where actors are 'doubly bound' to each other by *utility* and *sanctions* can they have confidence in one another which enables them to enter cooperation (see Bloor 1997, 116-7). Their motivation to follow rules therefore depends on the certainty with which they can predict that the others will be following rules. In the end, it is interests that compel individuals to follow norms and ensure that social systems are thus reproduced. Consider, for example, Barnes (1988, 41) who argues that 'calculation that routine action was the best thing in the given system would produce the routine action that constituted the given system'. Interests are regarded as the ultimate motivators, while norms are thought to be able to compel only indirectly insofar as they can be made to serve interests or insofar as they can involve sanctions that can damage interests<sup>9</sup>.

The self-referential theory of rules (social institutions) runs into difficulties when it attempts to accommodate deviance. It has to postulate that rule-following can be *contra* interests: hence deviance, and sanctions to prevent or contain this. It thus slowly moves away from rule-motivated conduct to interest-motivated action. Pursuit of interests, once endorsed, becomes *the* motivation. Both rule-following and deviance turn out to be reducible to action in pursuit of interest. Pragmatic attitude to rules turns out to be the only attitude to rules. Compulsion shifts *permanently* from rules to interests. Once we have located compulsion in interests it becomes virtually

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<sup>8</sup> Social constructionists like Barnes and Bloor share much in common with rational choice theorists. Consider, for example, Bloor's description of cooperative conventions as patterns of calculative self-interested behaviour (Bloor 1997, 117).

<sup>9</sup> Even ethnomethodologists are willing to concede a lot of explanatory ground to interests. While rules are said to be 'reflexively constitutive' of social systems and actors 'reflexively aware' of rules, it is not the awareness of norms that explains normative conduct, but realization that actors' 'interests are well served by normatively appropriate conduct' (Heritage 1984, 117). Thus, reflexivity central to normative conduct is effectively reduced to calculation of interest, and reflexive awareness of rules is understood as reflexive awareness of utilities and constraints associated with specific lines of action.



impossible to dissociate it from interests, i.e. explain rule following without invoking interests. No place is left for a *conscientious* rule follower, i.e. someone who is motivated by duty alone. Social constructionists leave a gap between collective beliefs and individual actions. Rules are seen as collective *belief systems*: a rule is something that we collectively believe to be a rule. Rule following, however, is another matter. Individuals tend to take pragmatic (i.e. *critical*) attitude to rules: knowing that society holds something collectively as a rule does not result in the motivation to follow it. Collective *action systems* (i.e. what we follow as a rule) are not products of rules, understood as collective mutual belief systems<sup>10</sup>, but rather of the assessment of those beliefs from the point of view of individual interest. Consequently, reproduction of a system of rules relies as much on the reproduction of individual self-interest as it does on the reproduction of collective beliefs about rules.

By separating norms from commitments and introducing interests to close the gap, social constructionists break the circle of self-referentiality and allow *external reference* into what they describe as essentially self-referential systems. Assessment of beliefs in terms of *utility* is a mode of validation. Validation, however, is not a category that social constructionists apply to rules or, for that matter, any other beliefs held collectively. Self-referential systems require no validation beyond processes of self-reference. A collective act of believing something to be right (norm) *makes* it right (norm). Actors in such systems derive their social competence from the others' beliefs without attempting to validate them. A social constructionist society is a site of multiple interactions between the individual actor, on the one hand, and other individual actors (everyone else), on the other. There is no third party, or audience to observe and criticise actors' performances. The roles of rule-followers and audiences (judges) of rule-following performances are not clearly separated. The social constructionist perspective uses a two-actor model of society: interactions between an individual actor and everyone else (a kind of 'generalised

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<sup>10</sup> Mutual belief is defined by social constructionists as a specific type of shared, or collective, belief. If A and B believe that C, they share a belief. For their belief to qualify as mutual belief, both A and B have to believe that the other believes that C and that the other knows that they believe that C. Thus, effectively, a mutual belief is a belief about mutual belief (Kusch 1996 and in informal discussions).



other') take place in the absence of an audience. This, arguably, leads to an infinite spin of self-referentiality which would not have been possible had the number of actors in the model been three, including two actors who exchange expectations, and the audience of their interaction.

Social constructionists start with the Durkheimian observation that society makes norms collectively, and transform this into something more radical: that the norm *is* what society holds as norm. The question *why* society holds something as a norm threatens to undermine the self-referential notion of a norm. Actors have competencies about rules, but what makes them competent is the collective social competence in which they partake, and which also is the ultimate point of reference for their own actions and beliefs. Either they have no need at all to validate their competencies, or that need can be fully satisfied by quoting the collective competence. Like social constructionists, ethnomethodologists and social interactionists also tend to sidestep the issue of validity and validation of social competencies. Actors are competent in interactions only as long as the latter proceed smoothly, that is as long as the others' actions vindicate their own competencies. Once the other actors begin to act oddly, contrary to the competencies of their partners in interaction, the latter find themselves bewildered and disoriented. They do not feel as competent any more. At the same time, however, they do not give up their competencies easily. Rather, they attempt to defend their actions and criticise those of the other actors who they perceive as rule-breakers.

The hidden layers of shared tacit understandings rise to the communicative surface of interaction: the normative understandings themselves become the object of communication and argument. Actors whose competencies have been challenged by others' incongruous performances attempt to reconstruct the normative relationship in talk. They seek to persuade the other that their actions have been incompetent, i.e. that they have deviated from shared normative understandings. In other words, they want to come to normative agreement with the other. To be able to do so, they can no longer rely on their prior intuitive knowledge of rules. Knowing something to be right is not enough any more. They have to *demonstrate* to the other that they are

right. That requires shared criteria of validity. In order to persuade the other to accept their claims as right and justified they need to validate their competencies and invalidate claims to competencies made by the other. This involves breaking the circle of self-referentiality and locating the reference point for actions outside action itself, i.e. outside reproducible collective patterns of action. Disagreement cannot be part of the unproblematic reproduction of self-validating agreement. Though it is premised on and oriented towards agreement, it also assumes that agreement is validated from outside itself. Social competencies are not reproduced unproblematically through action expressive of collective agreement. Rather, disagreement is a mode of problematic reproduction of competencies.

### **The idea of rational agreement and criticizable validity: a critique of Habermas**

Habermas is one of a few scholars who think that knowing rules is inseparable from knowing procedures of validation (see Habermas 1984). Significantly, he is also one who argues that validation procedures are particularly relevant in situations of disagreement among actors. He proposes that normative expectations such as 'you ought to do X' rest on validity claims that are in principle *criticizable* by those to whom they are addressed. Thus, on the one hand he grants that agreement is based on validity of claims. But, on the other, he admits that agreement is problematic because validity is contestable *in principle*. Russian protesters whom I studied, or indeed anyone who has any experience of social conflict on whatever scale, will understand what this means. In a situation of conflict where validity claims are contested, the most problematic thing is to arrive at an agreement that both sides will accept as valid. Despite this, Habermas offers grounds for optimism. He argues that it is possible to resolve disagreements solely through appeal to validity (that is without recourse to power), by comparing competing validity claims to determine whose claim is *more valid*. Habermas calls this agreement *rational*, because it is secured by appeal to reason and not through an exercise of power. But disagreement too is rational in the sense that it justifies itself by appeal to validity. The weakest part in

Habermas' argument is the way he explains how *rational* disagreement (about validity) can give way to *rational* agreement (about validity).

Before rationality came to be associated with instrumental action and rational choice theory it embodied the idea of universal agreement. The age of Enlightenment gave rise to two rationalities, one associated with utility, the other with universal reason. One released the potential of individuals to pursue their interests free from constraints of *tradition*. The other sought to deliver individuals from *power* sanctified by tradition or caused by unrestrained pursuit of interests. The idea that society can be organised rationally on principles of justice shared by all is one of the central ideas of the Enlightenment. For thinkers of the Enlightenment, rationality embodied faith in the power of reason to convince without coercion. Towards the end of the 20<sup>th</sup> century utility has come to embody rationality. Instrumental interest-calculating rationality has become *the* rationality of the modern world. In an attempt to revive the spirit of the Enlightenment Habermas undertakes to salvage the idea of universal reason. His entire theoretical project was meant to repair the damage done to the concept of rationality in this century. Rationality and ethics have been once again reunited in the concept of communicative rationality.

Faith in the power of reason alone (unaided by force) to bring conflicting interests to agreement is what the philosophy of Enlightenment, Habermas and Russian protesters share in common. The latter may be unfamiliar with Habermas' concept of communicative action, but this is what they seem to engage in when they seek rational agreement with the opponent through raising and criticising validity claims. Although the way to agreement may lie through *criticizing* validity claims, reaching agreement means *accepting* some claims as valid. If they must agree on validity, then some of those criticizable validity claims raised in the dialogue either do not get criticized or are not criticizable. According to Habermas, to overcome disagreement actors must draw on shared understandings (validity). He does not, however, doubt the shared nature of those understandings which provide the basis for final agreement, unlike some of his critics who have pointed out that shared understandings cannot be seen both as a *problem* and a *resource* that can be used to

solve the problem (Holmwood and Stewart 1991, 112). Validity claims, which are said to be criticizable, cannot also be used to overcome criticism and enable agreement. If agreement is to be reached by an appeal to validity, then not all validity claims are criticizable: those used as a resource for reaching agreement, the ultimate foundational validity claims, cannot be<sup>11</sup>. If, however, *all* validity claims are criticizable, then rational agreement appears to be problematic in principle.

Not only is coming to agreement problematic in view of the contested nature of validity: there is the further problem that actors are not always prepared to rely on validity alone to solve problems of understanding. They may consider it easier (more efficient) to reach agreement by raising a claim to power. Though power claims can produce agreement with fewer problems than validity, Habermas does not consider this a rational agreement, because its rationality lies *beyond* the communicative act itself, in *sanctions* that the speaker can mobilize to motivate the hearer to comply. Though the agreement has been secured via a communicative (speech) act and is based on shared understandings (e.g. concerning the meaning of power and implications of its use), it is not agreement secured through 'communicative action'. According to Habermas, not just any act of language use (communicative act) constitutes a communicative action. He reserves the term for those instances of language use where language is used for the purpose of *reaching an understanding* which he regards to be 'the original mode of language use' (1984, 287). Language, however, can also be used strategically (instrumentally) by actors who are eager to exploit the structural properties of language in order to secure individual *success*. Habermas associates orientation to success with a specific type of action, which he calls teleological, or strategic.

Habermas accepts that interests can interfere with judgements of validity. He attributes this to a specific orientation, or attitude, that actors bring into communication. Actors oriented to success, according to Habermas, are unlikely to

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<sup>11</sup> Moreover, if actors do share those ultimate understandings then the initial disagreement can hardly be regarded as rational, i.e. a genuine disagreement about validity. Rather it would be a case when one of the actors' judgement concerning the validity of a certain expectation has been affected (distorted) by the actor's *interests*, or else one of that actors has been *mistaken* in their judgement about validity.



come to an understanding. To be able to come to an understanding they need to adopt an attitude that can make them *actively seek* understanding. They have to be *oriented* to understanding. Actors who are oriented to success, on the other hand, cannot hope to reach understanding, but they are still able to elicit compliance in other actors. But compliance too requires understanding. So, what exactly does Habermas mean by understanding? In what way is the outcome of understanding-oriented communication different from communication where both actors are oriented to their own success? According to Habermas, the outcome of a truly communicative action (unlike that of any other communication) is agreement that takes into account the goals of both actors. By contrast, communication that seeks to extract compliance reaches the goals of one actor at the expense of those of the other. It seems that by orientation to understanding Habermas means an orientation to the other's individual goals and plans of actors *as well as* one's own. As Habermas himself admits, when they aim at understanding, actors still 'pursue their individual goals under the condition that they can harmonize their plans of action' (1984, 286). Despite insisting that communicative and strategic orientations cannot be combined in the same action but mark two different types of action, he effectively describes communicative action as *doubly* oriented to *both* success and understanding.

To reach understanding, Habermas' actors must have the *will to understand* as well as share prior *understandings*. By deliberately separating the will for understanding (intentions) from understandings (shared normative framework), Habermas demonstrates his allegiance to the instrumental purposive rational model of action. Despite offering a theory of rational conflict resolution, where agreement is grounded entirely in superiority of argument, he never completely endorses validity as the basis for agreement among actors. There is always something beyond validity that motivates actors, such as actors' orientations to reaching understanding. According to Habermas, individual plans of action exist independently of shared understandings about what can be accepted as a valid plan of action. But while they do not *originate* in shared understandings, he grants that they can be reconciled (harmonized) by *appealing* to shared understandings. The outcome of communicative action is harmonization of individual plans of action, which is not

seen as a collective success, i.e. a success for validity (shared understandings), but rather a combination of two individual successes enabled by shared understandings. While in the case of communicative action validity may not be used strategically (with disregard for the other actor's aims), it is still used instrumentally, to *enable* actors to achieve their individual successes.

Habermas returns to the position he has rejected: to the success-oriented, interest-motivated model of actor. Orientation to understanding is something that one can choose to adopt *or* not to adopt. It is not something *intrinsic* to social interactions mediated by the use of language. By separating understandings as the basis for reaching agreement from understandings as actors' orientations, he offers *two* measures of rationality: one is interests, the other validity (or shared understandings). This undermines his claim that rationality is to be located exclusively in 'the general structures of the lifeworld' (i.e. shared collective meanings and discourse) and not in actors' heads, a position he wishes to challenge (Habermas 1984, 328). The core of the problem lies in the separation of agreement from understanding. Habermas believes that there is agreement which *is* understanding, and agreement which is *not* understanding, but success. It is the former agreement that he considers rational: agreement secured by appeal to validity. Though he seems to endorse validity as *the* measure of rationality of agreement, if this were indeed the case, he would consider normatively regulated action to be a case of rational agreement. And that he does not do. On the contrary, he separates normatively rational action from communicatively rational action. While communicative action is always oriented to reaching understanding, the orientation of normatively regulated action is not clearly specified.

It may manifest and reproduce normative agreement, but normatively regulated action is not considered truly rational by Habermas. Insofar as normative agreement reproduced through normatively regulated action can go against interests of one of the actors Habermas does not grant it to be oriented to understanding. A normatively authorized request, he argues, *uses* validity (shared understandings) to *influence* the other actor. Insofar as influence constitutes its communicative aim, normatively

regulated action is considered to be oriented to success. Though compliance in this case is granted as normative *obligation*, to Habermas it still fails to qualify as rational agreement. It does not matter to him that success orientation has to be validated in order to produce success. Insofar as it remains success orientation, no amount of validation can turn it into orientation to understanding. In the end, what matters to Habermas is not that actors share *understandings* (about validity) which enable them to come to agreement, but what kind of *orientations* they have. It is interests (not norms) that constitute the *ultimate* measure of rationality for Habermas.

Any agreement originates in shared understandings and to that extent is normative. But for Habermas, understanding that emerges out of communicative action is not like any normative agreement. It is a specific type of normative agreement achieved by *examining* and questioning the existing normative understandings rather than by simply *reproducing* them. This is what he calls communicative rationality. However, because communicative action proceeds by questioning shared understandings, the latter cannot serve as the basis for agreement as, for example, they do in normatively regulated action. A truly rational, communicatively achieved agreement appears to be problematic. Possibly, the recognition of the insufficiency of shared understandings for ensuring such agreement has led Habermas to introduce orientation to understanding as an important *second* condition of reaching truly rational agreement. But the fact that he identifies two conditions of rational agreement – orientation to understanding and the existence of shared understandings – effectively undermines his argument that agreement depends *exclusively* on validity. Of the two conditions, the sharing of understandings (validity) appears less problematic to Habermas than orientation to understanding. It takes unique historical circumstances (the ideal speech situation) to enable actors to suspend orientations to success and aim at understanding. A theory of communicative rationality, meant to solve practical problems of (lack of) understanding, posits conditions which are practically unattainable and which can make the theory itself impractical.

Actors' orientations may exist prior to communication as subjective meanings in actors' heads, but to fulfil themselves as orientations (i.e. to be effective) they have



to enter the context of utterance (communication), where they translate themselves into communicative aims. It is in and through communication that actors' orientations both *validate* themselves as orientations and *succeed* as orientations. Once they enter communication, orientations become a property of utterance: they no longer matter as individual orientations but express themselves as collectively shared understandings. Consequently, what Habermas identifies as *two* different conditions of reaching rational agreement are in fact *one* condition: actors' orientations to understanding are inseparable from shared understandings that they hold. Regardless of the orientations they have had prior to communication, on entering communication all actors develop what Habermas calls a communicative intent, i.e. an orientation to understanding. Actors may well be oriented to individual success (rather than true understanding in the Habermasian sense), and they may even be rightly suspected by the other as oriented to success: this does not matter because even if they are not *subjectively* oriented to understanding, they are *objectively* oriented to understanding. Participants in communication may each think about their own interests and distrust each other's motives, but even if they do they cannot help being oriented to understanding, which is one of the main conditions of any use of language. Orientations do not shape conditions of communication as Habermas suggests. On the contrary, social conditions of language use shape actors' (communicants') orientations.

Insofar as communication is based on shared understandings it is also *of necessity* oriented to understanding. One cannot separate success from understanding, because any action aiming at agreement seeks *both* success and understanding. When protesters demand certain policy changes from the government, they hope to be successful by being understood. If they are not understood, they are unlikely to be successful. The two orientations - to success and understanding - are inseparable both in actors' intentions and in the content of communication (utterances). Understanding is success and success is understanding. Understanding is always about something beyond the language itself, e.g. about the relationship between two actors engaged in communication. Communicative success (understanding) is therefore always a pragmatic, extra-communicative, in linguistic terminology *perlocutionary*, success.



For Habermas, however, any use of language that has consequences beyond itself, beyond linguistic understanding (illocution), is essentially an abuse of language and its capacity to produce genuine understandings. He regards perlocution (pragmatic effects of language use) as an example of strategic use of language and, therefore, ultimately strategic action. His rejection of perlocution, however, is based on the association of perlocution with a specific form of language use, such as command, where the measure of communicative perlocutionary success is action performed by the other actor which may go against that actor's interests, or success orientations. Though they may be particularly visible in some uses of language, perlocutionary effects are characteristic of all utterances. It is rather problematic, therefore, to hope, as Habermas does, to get rid of perlocution altogether. A society where actors use language to understand but not to influence one another simply does not seem possible.

Habermas associates rational agreement with criticizable validity claims. Validity claims are criticizable to the extent that they are rooted in shared understandings. However, though all validity claims are criticizable not all of them are in fact criticised. Some are accepted without criticism as valid claims. While such acceptance may be a confirmation of their validity for the hearer, it does not guarantee that the speaker is not trying to force (or manipulate) the hearer into compliance. Unless the claim is *actually* criticised one cannot be sure that it was indeed a (criticizable) validity claim, and not for example a concealed claim to power. There is no way of telling a successful strategic use of language from a successful communicative action. Indeed, it seems that communicative action cannot succeed without raising suspicions about its status as communicative action. Paradoxically, the measure of communicative success appears to be communicative failure. The only proof of the speaker's orientation to understanding is the lack of understanding as a result. It is ironic that action oriented to understanding is also action that has difficulties reaching understanding.

To the extent that speakers find themselves within the framework of shared (normative) understandings, they cannot but raise criticizable validity claims,

*regardless* of their actual intentions to rely on validity or power. Statements that raise power claims are also criticizable on grounds of validity. To this extent all utterances are instances of communicative action in the Habermasian sense of the word, including those which rely on power. Yet though all utterances are intrinsically criticizable some of them do not provoke any criticism. This may be because they are accepted as valid or because reasons other than validity intervene: criticism of validity may be withheld for reasons to do with power. (Resort to power by the speaker remains effective even though it is recognized as a violation of validity by the hearer.) The most interesting question, however, is not why some utterances are not criticised on validity grounds, but why *all* of them *can* be. In other words, the question is what makes them criticizable *in principle*. This potential for criticism is to be located in shared understandings about validity. It seems that *because* participants in communication share understandings they can *both* raise and criticize validity claims. They can both claim to be right and fail to be right.

A criticizable validity claim is a contradiction in terms. Validity is something that defies criticism and vice-versa: criticism is not truly compatible with validity. If all claims are criticizable on validity grounds, there is reason to believe that no claim is truly valid (i.e. non-criticizable). But if something is criticizable, then why can something claim to be non-criticizable (valid)? Is it because no claim is intrinsically valid that any claim can be valid? Placing the emphasis on the possibility of agreement and the sharing of understandings, Habermas fails to notice a contradiction that validity claims are both criticizable *and* understood<sup>12</sup>. The compelling nature of a claim (norm) is both endorsed and rejected. Endorsed because the hearer can understand that the speaker appeals to validity. And rejected because the claim is not seen as sufficiently valid. Validity appears to be an intrinsically contested issue. It is related to both agreement and disagreement among actors, a fact that Habermas acknowledges in the very notion of 'criticizable validity claim'. Unfortunately, Habermas does not go further and explain why validity is both

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<sup>12</sup> I use the word 'understood' as Habermas does, in a normative sense (as in 'shared understandings') rather than in a purely linguistic sense, i.e. understood verbally, insofar as the claim is formulated in English rather than, say, in Greek which the hearer does not understand (speak).

convincing and criticizable. He is more interested in treating validity as a resource of reaching agreement than as a source of disagreement as well. Instead he prefers to locate disagreement in interests (orientations), where he also subsequently finds resources for agreement.

Validation is central to reaching agreement (understanding). A claim to validity raised by the speaker may be either accepted or rejected. We can thus say that the validity of any claim is provisional, pending the reaction of the actor to whom the claim is addressed. If his or her reaction is acceptance we can judge the claim to be valid. Or can we? If, on the other hand, the claim is rejected, can we really dismiss it as invalid? Whatever the hearer's reaction to the claim there remains a question why the speaker has raised it as a valid claim. To put it differently, why has the speaker assumed that the other will agree that the claim is valid? The speaker must have reasons to believe that the claim is valid *before* it is either accepted or rejected by the hearer. It is not the hearer's acceptance that *makes* the claim valid. Rather, acceptance is granted for reasons of validity and may thus confirm the validity of the claim. It may also, however, mislead the speaker about the true validity of the claim. While the speaker may cite the hearer's agreement to verify his or her claim to validity, the hearer refers to validity of the claim to explain his or her agreement with it. Agreement, therefore, cannot serve as an indication of validity because agreement justifies itself by validity. Insofar as validity can explain agreement, agreement cannot explain validity.

So, what makes a claim to validity valid? What gives actors, such as protesters, rule-breakers or heretics, grounds to believe that they are *right* even though the rest of society might disagree with them? Can they be dismissed as mistaken simply because there is no such thing as private rule-following? But then should we also dismiss as mistaken those eccentrics ('rule sceptics') who challenge the most uncontroversial and agreed-upon instances of rule-following, such as computation, and who we are not advised to dismiss as mistaken (see Kripke 1982 on Wittgenstein)? The social constructionist argument presents social phenomena as systems of agreement (or complex circuits of 'mutual beliefs'). Habermas, on the

other hand, stresses validity before agreement and locates agreement in validity. While social constructionists view the entirety of society as the locus of rule-based interaction, Habermas reduces society to a dialogue between two actors: the hearer and the speaker. What both approaches tend to leave out is the *audience* of rule-based interaction. Insofar as they disregard the third actor, both the two-actor model of coming to agreement adopted by Habermas and the sophisticated social constructionist version of complex circuits of interaction turn out to be deficient.

When they raise validity claims both sides in a dispute appeal beyond each other to a wider audience. In the case of protest this means members of the *public*, as the term is understood in modern political theory. Thus, a claim is not validated by agreement reached between the speaker and the hearer: it is approved and validated by the audience of interaction. But validity which audiences assign to claims is not final. To put it in Lyotard's words, 'any consensus on the rules ... *must* be local ... and subject to eventual cancellation' (1986, 66). Any specific dispute unfolds before the eyes (or ears, to be precise) of a limited *particular* audience. Yet participants in the dispute appeal to that particular audience as if it were a *universal* audience. Thus the audience of any conflict is at the same time particular and universal. The distinction between particular and universal audiences can help explain why protesters do not always take the actual audience's judgement as the final word on the validity of their claims. As long as they believe that a universal audience ought to (and therefore would) agree with them, protesters will not be put off easily by the rejection of their claims by any particular audience. The involvement of the audience blurs the distinction between coercion and persuasion, between agreements based on power or those sustained by validity.

Claims validated by appeals to a universal audience, which ought to agree with them, fall on the ears of particular audiences, which may not be convinced by those claims. It is the actual rather than the imaginary universal audience that decides the outcome of any particular dispute. Because any actual audience is not the universal audience, any particular agreement resulting from a dispute does not represent universal agreement and, therefore, remains provisional and open to revision. By contrast,



Habermas argues that any particular disagreement results in universal agreement provided that it meets the criteria of communicative action. Because of its provisional nature every normative agreement is a potential normative disagreement. But normative disagreement does not indicate an absence of consensus. On the contrary, it *presupposes* consensus on universal standards of validity. When actors criticise each other's claims they show that they both agree *and* disagree with one another. Shared understandings may reveal themselves as incomplete and intrinsically problematic, but they do not stop being *shared* understandings. To the extent that actors believe they *ought to* agree where they disagree they therefore share understandings. 'Ought to agree' implies overcoming of disagreement. Disagreement is the dynamic unstable moment of any agreement: it proceeds from and is oriented to agreement. Normative order, therefore, is best understood as normative dis/agreement, as both agreement and disagreement are essential to it.

In matters of validity audiences tend to have superior competence to those of both opponents in a dispute. The superiority of an audience's judgement is, of course, a social arrangement. That superior competence is granted to the audience by society. Audiences are often allocated the roles of adjudicators in social disputes. In disputes between protesters and their opponents the role of such informal adjudicator is performed by the public. It is broadly comparable to the role of formal adjudicator in institutionalised social disputes, such as litigation. Legal disputes generally include at least four actors: two opponents, the plaintiff and the defendant, the adjudicator (judge, jury or both) and, finally, the public both in and outside the court (e.g. media reports on court cases). However, that four-actor model of legal disputes is ultimately reducible to three actors, since both the formal adjudicator and the public represent society at large. In spite of its presumed superiority of judgement the audience's intervention can only guarantee provisional tentative agreement. What is held as valid is valid only provisionally until it is contested. Uncertainty is essential to normative agreement just as it is essential to any system of knowledge. In this sense normative claims (about right and wrong in social relations) are as questionably valid as scientific claims about natural reality.

The existence of a formal code of rules such as the body of law may significantly diminish uncertainty about rules. But it cannot eliminate it completely. Having rules written down cannot prevent them from being questioned, criticized and rejected on the grounds of lack of validity. In a way, formal written rules exemplify rules the least, because they tend to create the illusion of certainty about rules. It is on the basis of written rules that the definition of deviance is constructed. Only with formalised and clear rules can we more or less unequivocally differentiate between rule following and deviance. With all other rules such distinction appears to be highly problematic. Formal written rules are often also the ones that fail most spectacularly as rules, i.e. fail to generate compulsion in rule followers. One of the indications of such failure is the overwhelming need for sanctions to reinforce rules. Arguably, the only people who written rules do oblige to act in accordance with are the rule enforcers themselves (e.g. law enforcement agencies), but even this is problematic. Most rules are never expressed in a written form and exist as assumptions about what is considered to be acceptable lines of actions towards other actors and oneself. Given their precarious ontological status we can say that rules exist to the extent that we can persuade others that they do. Wittgenstein was right about there being no private rules, because any private rule aspires to universality.

As it would be wrong to assert that because we cannot know anything with certainty we cannot know anything, so it would be incorrect to conclude that disagreement about rules implies that rules do not exist (or that they are reducible to interests). Rather, we should admit that it is difficult to draw a line between following rules and deviating from them. While in sociological debates about rules rule-following and deviance are often regarded as two opposite states that negate one another, the distinction between them is often also exposed as arbitrary and socially constructed. Social constructionists can demonstrate that deviance is not so different from rule-following: if all rule followers chose to deviate from rules then deviance itself would be established as a new rule (Searle 1995). Thus the only way they can bring these opposites together is by swapping them, so that rule-following becomes deviance and vice-versa. The distinction, however, stays intact and the opposites remain irreconcilable. A more productive way to reconcile deviance and rule-following

while keeping the distinction in place would be to discover rule-following *in* deviance and deviance *in* rule-following. To achieve this we will have to introduce the notion of validity into the sociological discussion of rules. It is not justifiable that sociologists continue constructing explanations of rule-following and deviance with little or no reference to validity.

Most sociological theories of rules have difficulties understanding a conscientious rule follower. If rule-following is not explained with reference to socialization or intuitive taken-for-granted knowledge, then it is usually attributed to the utility that actors find in following rules or avoiding sanctions. A conscientious rule-follower, however, combines a reflexive attitude to rules with respect for validity. It is this type of rule-following that is usually associated with moral action. Morality is not reducible to sociological normativity. Moral attitude involves more complex competencies than those attributed to socially competent rule-following action. Perhaps the definitive feature of moral action is the implied *choice* between equally yet differently appealing courses of action. Though some authors (Oakeshott 1962, 66) differentiate between habitual and reflexive moral action, one could argue that a truly moral action is always *necessarily* reflexive given the choice involved. A habitually moral action may appear moral to other actors, yet because it is not recognized as moral (i.e. involving such choice) by the actor, it cannot be regarded as truly moral. Likewise, action motivated by sanctions or rewards fails to qualify as moral. Given the historical link between morality and religion one may argue that moral action is not entirely uninterested, and rather that sanctions and rewards that motivate actors to act morally belong in another world. Yet to reduce moral action to a search for transcendental gratification or avoidance of transcendental punishment is not entirely justifiable. There is a difference between moral action and action motivated by religious belief. In modern Western understanding of morality only an entirely disinterested action motivated by duty (conviction) qualifies to be called moral.

The sense of righteousness one sometimes encounters in protest is strongly reminiscent of moral action. In both cases actors assert the existence of rules

routinely disregarded by other (the majority of) actors. In both cases rule-following is inseparable from disagreement about rules. Righteousness is often only visible against the background of discord and opposition. To the extent that they involve disagreement, protest and moral action constitute forms of deviance. There are forms of deviance less explicitly righteous than protest, such as crime, but they too often require that actors believe that they are acting rightly while the others condemn them as wrong (evil). Like protest and moral action, deviance is a case of rule-following that involves disagreement about rules. Protest is perhaps the most assertive and expansive form of deviance: it seeks to impose what it takes to be rules on other actors. By contrast, moral actors and those who transgress the law do not always expect other actors to follow their rules. Protest, moral action and deviance share many features in common. All three involve disagreement about rules. It is this disagreement which makes the distinction between rule-following and deviance problematic.

In this chapter I have attempted to relate the discussion of protest to the discussion of rules. This is rarely if at all undertaken by scholars of protest. The two bodies of literature exist in mutual isolation, which puts both fields at a disadvantage. Theories of social movements tend to explain protest with little or no reference to the normative framework of society, considering interests a far more important determinant of collective action. Likewise, theories of rules feel no need to explain protest when they give an account of normative action and normative order. However, a better understanding of the normative nature of protest could both considerably refine the existing theories of social movements and solve problems in theories of rules and normative order. One of the problems is the inability of those theories to account for deviance without undermining the assumptions on which they build their explanations of rule-following (and order). Often the result is a substitution of interest-motivated action for rule-abiding conduct. I have argued that protest is to be located in shared normative understandings, which are not reducible to interests. Yet the presence of shared understandings does not necessarily indicate the existence of agreement and cooperation among actors. On the contrary, any normative agreement is tentative, fragile and open to revision. Shared normative



understandings manifest themselves less in the actual agreement than in disagreement which seeks agreement. I have argued that contentious action such as protest best exemplifies the true nature of normative order, which should therefore be understood as normative dis/agreement.

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## **Society as Conflict and Contract: Further Reflections on Normative Dis/Agreement**

### **Domination and legitimacy, or power as normative agreement**

I have proposed to view protest as a case of normative dis/agreement where conflict and agreement exist inseparably. To explain the phenomenon of normative dis/agreement I turned to some of the contemporary sociological theories of normative integration, namely Habermas's theory of communicative action and social constructionists' theory of social institutions (Bloor and Barnes). While they offer some valuable insights into the nature of normative integration, they both have difficulties explaining the role of conflict (disagreement) in the reproduction of normative order. Even Habermas, who recognizes the normative nature of conflict (i.e. the problematic nature of validity), invokes the concept of interests to explain disagreement. Protest and deviance are understood as problems *outside* integration (as *lack* of agreement attributable to interests) rather than problems *within* and *of* integration. Both theories appear to be unable to theorize the *problematic* nature of normative agreement, i.e. to reconcile conflict and agreement within one theory of normative integration. The theme of conflict and agreement has also been central to theories of political integration, namely state and civil society theories, which I shall discuss in this chapter. Modern argumentative protest is a product of the contemporary public sphere. It owes its existence to the modern idea of rational political authority being the expression of collective agreement and manifestation of collective power. The key problem of the political (emancipatory) project of

modernity is the problem of overcoming conflict through reasoning and coming to agreement. In this chapter I shall explore whether these theories have been more successful in resolving the problem of normative dis/agreement.

Most of the existing theories of protest describe protest as a moment in a *power* relationship. I view protest as a moment in a *normative* relationship, i.e. relationship regulated by shared understandings of right and wrong. I do not mean to suggest thereby that social relations are free of power. Rather, I want to assert that no power relations can be free from normative understandings, and that each relationship of power is, or aspires to be, a normative relationship. It would be a mistake, however, to regard normative relationship as smooth and conflict-free. Conflict, as expressed, for example, in the action of protest, indicates a *problem* in the normative relationship, and represents an attempt to solve that problem. From the perspective of protest theory, whose understanding of protest is grounded in the vision of society as a system of unequal power relations, suggesting that protest is a normative, if problematic, relationship (i.e. normative dis/agreement), may seem like a radical departure from the standard view. But from the position of general social theory, which has traditionally regarded the issues of norms and power as interrelated, to pose the question about the normative nature of protest *as* power relationship seems thoroughly natural and justifiable<sup>1</sup>. Though obviously out of line with the rest of protest theory, my normative approach to collective action appears to fit well into the general theoretical debate about the interrelationship of normative and power aspects of social integration.

Protest theorists' insistence on explaining protest through power becomes easier to understand if we take into account the long-standing sociological tradition of theorizing social order as relations of power created by differential distribution of key (economic and political) resources<sup>2</sup>. In this interpretation, social order is understood in essentially *positional* terms as relations created by positions of

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<sup>1</sup> Consider, for example, Giddens's assertion that '[a] general theory of social systems must *begin* from the interdependency of norms and power' (Giddens 1968, 268).

<sup>2</sup> This understanding of order is equally characteristic of Marxist, Weberian and Parsonian traditions of social theorizing.

inequality. Power is attributed (as characteristic) to positions defined by access to resources. Relations of power are formed by positions that individuals and groups occupy in the overall scheme of resource distribution. However, a connection between two actors through differential distribution of resources is not yet a *relationship*. A genuine relationship exists where the two actors also happen to share (normative) understandings concerning how resources are to be distributed between them. A very 'positional' notion of *status*, for example, contains the recognition of normativity of social relations. Status refers to position as *possession* of resources and as *legitimation* of that possession. Connection through status, therefore, is a relationship in which resources are transformed into duties and rights. Weber describes this kind of relationship as 'authoritarian power', or domination by virtue of authority as opposed to domination by virtue of position of monopoly and constellation of interests (Weber 1968, 943, 945). It is, according to Weber, a relationship of power (*subordination*), but one of its distinctive characteristics is that obedience is granted as duty, and command is rooted in right (Weber 1968, 946). Thus, power changes location: in a normative relationship it is situated not in position (as possession) of resources but in shared understandings of right and wrong.

Few social theorists construe order as a precarious unity held together by coercive power or power of economic necessity (what Weber calls domination by virtue of position of monopoly and constellation of interests). Most, like Weber, recognize the need of power to justify (legitimate, or validate) itself. This has become known as the legitimation argument (see, for example, Mueller 1973, Connolly 1984, Barker 1990, Beetham 1991). The need for legitimation is explained from the position of instrumental rationality. Legitimation is said to improve the effectiveness of power (Barker 1990, 137) and help overcome the resistance of those over whom it is exercised (Beetham 1991, 57). Weber is less explicit on the subject: he simply acknowledges the need of power to justify itself as an empirical, 'generally observable', fact (1968, 953). What is interesting in this argument is that domination is thought to exist *prior* to legitimation. Legitimation is *superimposed* on relations of power. After all, Weber's generic definition of power, which subsumes his definition



of domination, is 'the possibility of imposing one's own will upon the behaviour of other persons' (1968, 942). Such imposition of will, however, is considered *problematic*. Despite the monopoly of resources and constellation of interests that emerges out of it, Weber does not trust interests to be a *sufficient* principle of social integration. Though he believes that interests play a central role in securing compliance (Weber 1968, 945), he does not think that either coercion or economic necessity can sustain the social order for long. Only legitimation as 'belief in legitimacy' of domination is a 'reliable basis' of order, which can guarantee its 'continuance' (Weber 1968, 213). Coercive, or economic, power, if it wants to last, must transform itself into a system of normative integration.

It may seem that by endorsing belief in legitimacy as the ultimate guarantee of order, Weber acknowledges that domination must be normative, that it has to be grounded in shared understandings about right and wrong (validity). But Weber is too impressed by the extent to which power permeates social life to be able to reduce power entirely to legitimacy. Domination remains power-based, not validity-based. At one point he even argues that the need for legitimation may disappear altogether: 'a system of domination may – as often occurs in practice – be so completely protected ... by the obvious community of interests between the chief and his administrative staff [and] by the helplessness of the [subjects], that it can afford to drop even the pretense of a claim to legitimacy' (1968, 214). While he grants normativity to be the only guarantee of the continuance of domination he also acknowledges that no order is based entirely on legitimacy<sup>3</sup>. Legitimacy, like constellation of interests, is considered to be an insufficient principle of integration on its own. The legitimation argument remains a halfway house. Made as a concession to the power of the normative in social relations, it contains a tacit acknowledgement that it is not entirely possible to reduce the normative to material domination. But while it implicitly challenges the domination argument (that social relations are relations of power) it is meant to supplement and reinforce it (showing

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<sup>3</sup> 'It is by no means true that every case of submissiveness to persons in positions of power is primarily (or even at all) oriented to [belief in legitimacy]. Loyalty may be hypocritically simulated ... on purely opportunistic grounds, or carried out in practice for reasons of material self-interest' (Weber 1968, 214).

how legitimation helps sustain relations of power). According to Weber, domination which has established itself as legitimate order does not stop being order based on power. Relations of domination may be legitimated but they remain relations of a disparity of interests attributable to positions of monopoly and dependency.

In Weber's view, social order is a combination of *coercion* that draws on material resources and *consensus* based on validity. Both principles are considered deficient in isolation, but each is drawn upon to repair the failure of the other. The deficiency of one principle is compensated by the deficiency of the other. But their combination too is problematic. While they are often conceived as complementary to each other, the domination and legitimation arguments are not in fact reconcilable. The legitimation argument cannot succeed without at the same time undermining the assumptions on which it is built, that social relations are relations of power that stand in need of legitimation. The *necessity* of legitimating power cannot be explained if one starts with the premise that social relations are *fundamentally* power relations. If power can only survive *as* a normative relationship, then can we really say that relations of domination exist separately from normative understandings, or prior to them? The whole effort to distinguish power from legitimacy and consider them as two mutually reinforcing but different bases of order seems misguided. Legitimacy is not different from and superimposed on power relations. Insofar as every system of domination is enclosed in the framework of shared normative understandings it is not *distinguishable* from that normative framework. Every exercise of power (or instance of subordination), to the extent that it exists within the context of a normative relationship, constitutes a move within that relationship and therefore is not quite an exercise of power (control). This is not to say that power does not exist, but that it does not exist *independently* of normative meanings. Hence, to continue to refer to it as power would be to ignore the normative content of social relationships.

The position I advocate is close to Parsons' views on power in relation to normative order. Though he too maintains the distinction between the order of power and that of legitimacy, he tends to give priority to norms rather than power (Parsons 1964, 768; Holmwood 1996, 69). Like Weber, he defines power as the capacity of

individuals to prevail (or dominate) over others: 'a generalized medium for controlling action' (Parsons 1967, 273). But he also describes power as Weber describes legitimacy, seeing it as 'the medium of invoking ... obligations to contribute to collective functioning' (Parsons 1967, 276). If a way to control is to invoke obligations agreed collectively or mutually, then it would seem that Parsons abandons Weber's concept of legitimate power and argues instead that a power system is a normative order. In other words, he does not believe that normative order (or legitimacy) is superimposed on relations of domination, but claims instead that relations of domination emerge from the normative agreement. Indeed, he attracts criticism for 'treating power as necessarily (by definition) legitimate, and thus *starting* from the assumption of consensus of some kind between power holders and those subordinate to them' (Giddens 1968, 264). Unfortunately, Parsons does not quite sustain his argument. Although he does view power as a *collective* phenomenon of normative *agreement*, he seems reluctant to completely dissociate power from coercion. As a result, he continues to maintain that power can only be expressed in coercion, i.e. can exist *independently* of normative understandings. Hence, his suggestion that power should be considered both as a phenomenon of coercion and of consensus (Parsons 1967, 346). This position matches that of his critics, who argue that '*all* social relationships involve normative elements, so do *all* social relationships contain power differentials' (Giddens 1968, 268; emphasis added).

The question is whether power differentials are *also* normative elements, or whether these are two *different* aspects of social relationships. It is difficult to answer this question, since both possibilities are offered as an answer. Thus, Giddens writes, '[h]owever much it is true that power can rest upon 'agreement' to cede authority which can be used for collective aims, it is also true that interests of power-holders and those subject to that power *often* clash' (Giddens 1968, 264, emphasis added). If there is normative agreement (i.e. power differentials and normative elements in relationship coincide), then the interests of participants should not clash, and, if they do not clash, then not all relationships are power relationships. If, however, power originates not in agreement but in differential distribution of resources (i.e. power is a phenomenon of coercion), then power differentials do not coincide with normative

elements, in which case it would be wrong to suggest that *all* social relationships are normative relationships. Either all social relationships are normative relationships, i.e. grounded in normative agreement (however problematic), which makes power an irrelevant characteristic of those relationships, or all social relationships are power relationships (where interests of participants clash), in which case the normative is but an aspect of power. The connection between conflict of interests and operation of power (between power and coercion) is firmly established in social theory. Yet those theorists who believe that there is no power where there is no conflict of interests, also for some *inexplicable* reason argue that consensus may be necessary for operation of power (see, for example, Lukes 1974, Rex 1981). The link between power and normative integration (consensus) remains more of a problem: sometimes power is defined as normative integration, at other times normative integration is considered a form of power. Thus, norms are seen both as power and as distinct from power (i.e. from coercion).

## **The idea of emancipation, or power as communicative agreement**

Parsons' line of argument, that power is a collective phenomenon, has been taken up and developed by some contemporary social theorists, most notably Habermas. The latter seeks to transcend the limitations of Parsons and reconcile conflict and agreement, or the coercive and consensual aspects of social order. Whereas Parsons grounds power in the existing *normative* agreement, Habermas focuses on the production of agreement through *communication*. In other words, he postulates both *disagreement* and the possibility of overcoming it (and because he postulates such a possibility, he also postulates the existence of prior normative *agreement*). He thus shifts the emphasis of discussion from normative agreement to *agreement-oriented* communication. Like Parsons, however, he refers to the product of communication, i.e. agreement, as power, calling it 'communicative power' (Habermas 1996). Habermas's understanding of communicative power is influenced by Arendt's writings on the nature of power and her definition of power as 'the potential of a



*common will* formed in noncoercive communication' (Habermas 1996, 147). As indicated by the word 'noncoercive', not every attempt to reach agreement through communication results in communicative power. To generate communicative power, communication must be free from coercive elements, which Habermas also refers to as distortions in communication<sup>4</sup>. What this confirms is that coercion is regarded as a *separate* mode of interaction, free from normative understandings. Power can become a non-coercive affair (collective agreement) when individuals abandon coercive impulses. In other words, when power is not a coercive interaction (conflict of interests) it is collective agreement. The split between two opposite understandings of power remains as solid as ever.

Agreement reached through non-coercive (undistorted) communication represents, according to Habermas, a *higher-level normativity* than that of the normative integration described by Parsons. Normative agreement is suspect because it is not entirely free of elements of coercion. By contrast, communicatively-achieved agreement manifests a truly collective agreement, a condition of freedom. Thus, by drawing a distinction between the normative and communicative, Habermas consigns most normative relations to the sphere of coercive relations of power. Normative agreement, unless it is reached in undistorted communication, conceals relations of power that it seeks to justify, or legitimate. Non-coercive communication, on the contrary, opens the way to normativity uncorrupted by power. Through communicative action oppositional power (i.e. power as disparity of interests and resources) is transformed into collective, non-oppositional, or what Habermas calls communicative, power. Whereas in the realm of normative relations power gets legitimated, in communicative action it is not power that becomes legitimate, it is legitimacy that becomes power. Communicative action is a site where *new* normative relations emerge through collective communication informed by *reason* and free of power imperatives, i.e. the temptation to dominate by force rather than by reason. Power relations are no longer reproduced without questioning because they are accepted as legitimate (normative). Rather the *already legitimate* social relations get

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<sup>4</sup> Non-coercive communication represents a specific type of communication known also as 'communicative action'.

questioned and scrutinized and have to be legitimated *anew* through processes of collective communication that takes place in the public sphere. Anything that enters the domain of communicative action is treated as requiring legitimation even though it claims to be legitimate already (hence, *criticizable validity* claims). Legitimacy has to be created in the course of collective deliberation through communicatively achieved agreement.

The form of communication required to reach superior normative agreement may be *new* and unfamiliar (communicative action, or non-coercive communication), as Habermas leads us to believe, but it is the same *old* validity criteria that are used both to claim that something is legitimate and to question its legitimacy. To the extent that communication invokes validity, the virtues that Habermas discovers in communicative action are in fact the virtues of normatively regulated action. The separation into normative and communicative action is unjustified. The two are not radically different. Communicative action is the potential and possibility of every normatively regulated action. Every action that exists within the framework of shared normative understandings can in circumstances of disagreement invoke those shared understandings to overcome disagreement. Insofar as production of new normative understandings depends on existing normative understandings, there is no radical difference between normative and communicative modes of integration. Yet, having endorsed Weber's distinction between domination and legitimacy (between power and normative integration), Habermas *must* insist on the difference between normative (power-ridden) and communicatively-achieved (power-free) agreement, especially if he wants to argue that normativity can be *liberating* as well as enslaving. Emancipatory potential cannot be found in normativity that reproduces relations of power. So, Habermas locates it in communicative action, which is free of any associations with coercive relations. We may say that the split between normative and communicative is the split between two modes of legitimation: through *tradition* and through *reason*. Both are based on validity, but, as Habermas leads us to believe, reason is emancipating while tradition is not. The distinction suggests that tradition should be treated as totally devoid of reason. But if this were

the case it would be difficult to explain why reason takes over from tradition to become a new mode of legitimation.

The shift in the mode of legitimation from tradition to reason is widely considered to be the turning point in the development of societies, marking their entry into modernity. Following Weber, Habermas describes the change as the *rationalization* of domination (see Habermas 1989), though his interpretation of rationalization is different from Weber's. Rational domination, for Weber, is domination-grounded, not in 'the sacredness of tradition', but 'in a system of consciously made *rational* rules (which may be either agreed upon or imposed from above)' (Weber 1968, 954). For Habermas, the rationality of modern domination lies not so much in the existence of rules but in the making of rules collectively in the course of public *debate* over validity that seeks to establish *agreement* on the basis of *reason* (Habermas 1989, 27). From Weber's point of view, reason (validity) is embodied in rules: domination is rational insofar as it is based on rules. Habermas, on the contrary, believes that rules embody reason only if they embody the collective judgement on validity. He connects the rationality of domination to the process of overcoming *disagreement* about validity. This move marks an even more radical departure from Weber's concept of rational domination. While Weber conceives of legal-rational domination as a different form of domination, in Habermas's understanding, rationalization of domination is the *subversion* of domination. If carried out consistently, rationalization can bring domination to an end: 'the 'domination' of the public, according to its own idea, was an order in which domination itself was dissolved; *veritas non auctoritas facit legem*' (Habermas 1989, 82).

For Habermas, though not for Weber, rationalization of domination is emancipation. He detects a sea change where Weber discovers simply a progressive motion from one mode of domination to another. At the point of entry into modernity, domination is transformed *radically* to such an extent that, for the first time in history, it *can* cease to be what it is, domination. Reason as a *new* mode of legitimation embodies the emancipatory potential not to be found in tradition. But reason is also closely related to *validity* (i.e. shared normative understandings), which is also said to sustain

domination. The emancipatory potential that Habermas attributes to reason, insofar as it is located in validity, is not completely uncharacteristic of tradition-based domination. There is no radical break from tradition to reason, from reproduction of power to collective production of legitimacy. Rather, any social power relationship to the extent that it is a normative relationship (based on shared validity) offers possibilities of emancipation. Or, perhaps, *transformation* would be a better word. Emancipation suggests a one-time radical change whereby, somewhat unrealistically, a particular social condition (domination) is replaced by its opposite condition (lack of domination). The necessity of emancipation is derived from the condition of power. If, however, the social condition is not a condition of power but of legitimacy, there can be no emancipation: only gradual transformation and the evolution of normative relations.

Habermas endorses Marx's distinction between absolute domination on the one hand and absolute freedom on the other. But unlike Marx, who locates resources of emancipation where he locates resources of power, in possession (redistribution) of key economic resources (property), Habermas links emancipatory potential to validity, or shared normative understandings. The link already exists in Weber, who argues that domination *must* be legitimate. Despite his emphasis on legitimacy, Weber remains skeptical about the possibility of overcoming domination by using resources of legitimacy, i.e. resources that sustain domination. So does Habermas. The latter starts by linking emancipation to validity but ends up emphasizing constraints that power imposes on validity. Transformation of politics into morality is considered possible in the *future* rather than in the *present* state of affairs. Power must be 'neutralized' *before* reason relying on validity is able to produce rational authority that is not domination (Habermas 1989, 125). Before 'the objective guarantee of a concordance of interests existing in society' is achieved, reason can only succeed in limiting power but not in dismantling it completely (Habermas 1989, 135-6). Unlike Hegel (1996, §258, §186, §257), who describes rationality as the *unity* of particularity and universality (which represents the condition of freedom achieved in the modern state), Habermas conceives of rationality as universality that



*supersedes* particularity. Where power is neutralized and a concordance of interests established, there is no need for interests to rise 'to the plane of the universal'.

Emancipation envisages 'the subjection of domination to reason' (Habermas 1989, 117), yet the capacity of reason to achieve this, i.e. to transform domination, proves to be limited. As long as domination can persist in spite of reason, it will remain invulnerable to the attempts of reason to transcend it. This, however, does not undermine Habermas's faith in the emancipatory potential of reason. Reason may not be able yet to transcend power, but it can, according to Habermas, curtail it by turning into power itself. Habermas treats reason both as other than power and as an expression of power. Power is seen as an obstacle to agreement (hence non-coercive communication) and as agreement (hence communicative power). Non-coercive communication is something that gives rise to communicative power embodied in collective agreement. But communicatively-achieved agreement can also be a force of coercion manifesting power. Such inconsistency is possible because Habermas associates emancipatory communicative reason (i.e. the possibility of emancipation through reason) with two related but not identical social conditions. On the one hand, he associates reason with a particular *type* of communication, *communicative action* (or non-coercive communication), but on the other, he links it to specific *conditions* of communication, the *public sphere*, which are much broader and more inclusive than conditions of communicative action. The public sphere is by no means restricted to non-coercive communication. On the contrary, it appears to be both an arena of power struggle (coercion) and the space of rational debate about rules (non-coercive communication) (see Habermas 1989).

## **Modernity and reason: emancipation through critique of tradition**

The rise of the public sphere is an essentially modern achievement, part of the process of transformation of feudal societies into modern capitalist states. The term describes neither an institution nor an organization, but a specific social *space*, or

realm, where communication takes place: 'a network for communicating information and points of view' (Habermas 1996, 360). It designates an abstract *meeting place* for individuals where they can engage in a semblance of rational debate. Hence the use of 'architectural metaphors' to clarify the meaning of the term, such as 'forums, stages, arenas, and the like' (Habermas 1996, 361). Apart from the space (public forum) and activity that takes place within that space (communication), the term also indicates a specific *relationship* among individuals that constitutes a new mode of production of *authority* (through collective discussion). The modern public sphere is 'the sphere of public authority' (Habermas 1989, 18). Debate is the mode of existence of the *public* as the collective inclusive agency of authority. The public was brought into being by the centralization (or more precisely, territorialization) of political power and the separation of political relations from social and economic ones. At first, the public existed merely as a *collective subject*, i.e. as an 'abstract counterpart of the public authority' of the modern territorial state (Habermas 1989, 23). It took a while before the abstract collective subject of the territorial sovereign acquired a sense of *agency* characteristic of the public in contemporary democratic societies and became the collective sovereign (authority) itself. The transformation is described as the process whereby the public as the subject of the state comes 'into awareness of itself' as the *opponent* of the state (Habermas 1989, 23).

Habermas's account of the formation of the public as agency through becoming aware of itself resembles Marx's argument about the transformation of the proletariat from a class in itself into class for itself. In both cases the transformation of social collectivity into collective agency requires that the collectivity in question define itself in relation to another agency, a relation that, incidentally, it also seeks to transform. Hence the public's awareness of itself as the awareness of being the *opponent*. The sense of agency is related to *opposition*. But opposition presupposes relationship. It means both relatedness and difference (as autonomy within). There can be no opposition without the recognition of the possibility of transforming the relationship. To be the opponent does not mean to *deny* the relationship but, on the contrary, to *affirm* it. The potential for transformation lies within the relationship. According to Habermas, the public is able to transform itself from collective subject

into collective sovereign. To accomplish such a *radical* transformation the public needs only to rely on the resources available within the relationship (it does not need to go beyond the relationship: in fact it cannot achieve this by going beyond, nor is going beyond conceivable as an option). Similarly, when the proletariat acquires a sense of agency by defining itself in opposition to the bourgeoisie, it is only through the affirmation of this relationship that it is able to make the demands that it ends up making. Just like Marx's proletariat, the public in Habermas's account is not only able to recognize domination but, through such recognition, to transform it.

The public sphere is defined through implicit opposition to another social realm, the private sphere. However, in the public sphere the distinction between the two realms also becomes transparent and transcendable. In modern democratic polities, members of the *public* are *private* individuals who together constitute the collective agency of authority (Habermas 1989, 27). Indeed, if *publicity* is the organizing principle of modern polity (Habermas 1989, 4), then the *privatization* of individuality is a condition of modern publicity. In the public sphere individuality is expressed more fully than is possible in the private sphere, where individuals exist primarily as members of family units. Social affiliations do not define membership in the political community of citizens of modern states: that membership is *direct*, i.e. not conditioned by memberships in sub-units of the totality of society (Gellner 1991, 498). As members of the public, individuals can free themselves from the social, i.e. transcend, if temporarily, their social positions. This also allows them to reconsider and transform the social. Thus the rise of the public and the consolidation of individuality, which Durkheim describes as *individuation*, appear to be concurrent and related processes. For Durkheim (1972, 192), 'there is no contradiction in the fact that the sphere of individual action grows at the same time as that of the state'. On the contrary, one development necessitates the other, since 'the institution of [the rights of the individual] is ... precisely the task of the state' (Durkheim 1972, 196). The universality of the individuality freed from its particular social ties finds its manifestation in the universality of the political community of citizens of the modern state.

For Durkheim, as for Hegel, the state represents the realm of the universal, the embodiment of rationality. He views the growth of the state as the growth of the sphere of rational and collective (though not always *exhaustively* collective) deliberation. 'Everything is open to question, ... everything may be discussed, and ... in so far as decisions have to be taken, we are not tied to the past' (Durkheim 1972, 198). Thus, the rational-critical functions that Habermas attributes to the public sphere, Durkheim finds in the democratic state. He describes the latter as the sphere of '*clarified*' collective consciousness (Durkheim 1972, 198). Clarification is the condition of change and progress. But change is not sought for its own sake: it is conceived as a movement towards the universal (which is the essence of progress). Hence, Durkheim's definition of democracy as such 'political system by which society can achieve a consciousness of itself in its purest form' (Durkheim 1972, 199). Purity here is the expression of universality. The collective consciousness of pre-modern (non-democratic) societies, which do not get to question (clarify) their beliefs, are unlikely, in Durkheim's view, to reach the state of purity. Unlike modern societies, traditional societies do not consider their present consciousness as insufficiently rational. Thus, for Durkheim, self-reflexivity of tradition constitutes the hallmark of modernity and rationality. This view is shared by many present-day sociologists, who describe modernity as a process of 'detraditionalization' through reflexivity (Heelas, Lash & Morris 1996), or a 'radicalised revision of convention' and 'wholesale reflexivity' that 'applies (in principle) to all aspects of human life' (Giddens 1990, 39).

It is not that they consider tradition to be *totally* devoid of reflexivity. Rather, modernity theorists argue that tradition too is reflexive though in a somewhat *restricted* sense. In pre-modern societies reflexivity is 'limited to the reinterpretation and clarification of tradition' (Giddens 1990, 37). Yet at some point in time reflexivity limited to reflexive reproduction of tradition is transformed into total, or 'wholesale', reflexivity. As a result, tradition is swept away. It is no longer simply interpreted and clarified but is 'constantly examined and reformed' (Giddens 1990, 38). This marks the entry of traditional societies into modernity. However, a *reformed* tradition is nothing else but tradition. Though it has been reformed, it also



continues in that reformed state as tradition. Once we acknowledge the continuity between 'tradition' and 'modernity', the categories become more or less meaningless. The radical revision of convention (tradition), which Giddens attributes to modernity, can only be undertaken by convention itself. This makes reflexivity *essential* to tradition and once again brings into question the thesis about the radical rupture between tradition and modernity. Indeed, some critics have pointed out that modernity does not replace tradition; rather, that we should treat the two as *coexisting and interpenetrating*, insofar as modernity (as reflexivity) is to be found in tradition and tradition can survive in modernity (Luke 1996, Adam 1996). Yet, curiously, the criticism seems to endorse what it seeks to criticize. To the extent that it is premised on the recognition of modernity and tradition as two *qualitatively* different types of sociality, it indirectly accepts that modernity involves detraditionalization.

In fact, the achievement of modernity has been not so much to destroy tradition as to assert its existence. It is the rhetoric of modernity that 'invented' the concept of tradition in order to reform tradition. The concept, on the one hand, conveys the meaning of *rigidity* and lack of change; yet, on the other, refers to something that is being *dismantled* and replaced. This suggests an internal flexibility, or potential for change, making the term used to describe it ('tradition') irrelevant at least in some respect. Thus, tradition is invented at the point of *transformation* of tradition, i.e. at the very point where its status as tradition is exposed as *problematic*. Modernity can only proceed by creating tradition, but not tradition as it is understood in the discourse of modernity (something that precedes modernity and stays unchanged), but as something that is constantly renewed and asserted as tradition. Thus, modernity invents tradition as the image of the past that it seeks to change, yet at the same time fails to recognize that the invention is needed to justify the creation of new traditions of the present. Modernity, or what we understand by modernity (i.e. the contemporary social condition), is nothing else but tradition which keeps developing its intrinsic potential for change. Therefore, it would be quite wrong to use the categories of tradition and modernity to describe two consecutive stages in the development of (Western) societies. Rather one should see them as categories

intrinsic to the discourse of social change, where they refer to *problems* in social reproduction and the proposed *solutions* to those problems.

Sociologists were not the first advocates of the idea of the radical break between tradition and modernity. Before it was turned into a sociological concept, modernity was a self-description of an age that had become aware of itself as the age of change. The first theorists of modernity were philosophers of the Enlightenment. It was they who described the period they lived in as *modern* and defined its content as critique of tradition (see, for examples, Habermas 1992, 5; Kumar 1995, 79). Critique of tradition was summarized in the idea of *reason*, which became central to the self-understanding of modernity. Reason is advocated as a new *normativity*, dissociated from the concepts of any particular culture: '[m]odernity can and will no longer borrow the criteria by which it takes its orientation from the models supplied by another epoch; *it has to create its normativity out of itself*' (Habermas 1992, 7). Tradition is understood as an age where reason is identical to *culture*. By contrast, modernity separates reason from culture: reason is no longer subjected to culture but becomes superior to culture (see Gellner 1992). With the advent of modernity reason becomes new tradition, the new universal culture that transcends the particularities of all cultures. The rhetoric implies a definitive break with the past, the invention of reason as something new, which was not there before. This, however, obfuscates the fact that reason, as critique of tradition, is only possible from within tradition itself. Any other critique of tradition is unlikely to be effective in dismantling tradition. To break with the past one must *rely* on the critical resources of the past, while *denying* at the same time the very existence of those resources.

Reason in its critique of tradition tends to present the latter as *arbitrary*, i.e. as the opposite of reason (unreason). For example, Moore (1967, 414) describes democracy 'as a long and ... incomplete struggle to ... replace arbitrary rules with just and rational ones'. What is denied to the past (rationality) is sought in the future. But 'arbitrary' here is merely a description of normativity (rules) that has ceased to satisfy *as* normativity. To the extent that it has been challenged *as* normativity its description as arbitrary is not entirely justifiable. Challenge implies the employment

of rationality, or critical engagement. One cannot critically (rationally) engage with what is perceived as irrational. The very notion of irrationality conceals the premise of shared rationality: in order to deny someone rationality we have to think of someone as rational. Irrationality is an assessment *within* the parameters of rationality. Despite this, tradition is conceived by its rational critics as a realm of irrationality. It is the apparently *uncritical* acceptance of tradition by society that, according to critics, makes tradition arbitrary, or irrational. To create conditions of rationality would therefore involve creating social, or more precisely political, spaces where tradition can be *critically* assessed and as a result of such assessment new *rational* rules introduced to replace arbitrary rules inherited from tradition. Hence, the concept of the public sphere. What is said to be absent from tradition, namely the critical role and normative autonomy of agency, is made into a central characteristic of rational modernity. The new *rational normativity* to replace the *irrational normativity* of tradition is thought to be the expression of the rational will of the collective social agency.

## **State and civil society: two attempts at social contract**

Some believe that such collective rational will constitutes the state. Hegel, notably, describes the state as ‘absolutely *rational*’, ‘the realized *ethical* idea’ and ‘the actualization of *freedom*’ (1996, §§257-158, 240, 244, emphasis added). To the extent that this description seems to disagree with reality it may be read as an expression of the author’s utopianism or, worse, conservatism, which tries to present particularity as universality. In fact, he merely defines the state in terms of the *real potential* that he attributes to it. The state, according to Hegel, represents *rational authority*; rational, that is, insofar as authority which manifests substantive (collective) will ought to be recognized as rational. Thus, in Hegel’s view, rational authority represents rational (universal) *agreement* even though the agreement is not reached through procedures of collective rational-critical deliberation. For other authors, such as Habermas, the state can only embody rational authority if it manifests *actual* rational agreement, i.e. agreement achieved through rational debate.

According to these scholars, the true realm of rationality is not so much the state as that which Habermas calls the public sphere, but for which a more widely accepted term is civil society. The latter is defined as the public space beyond the state and other than the private sphere as the sphere of intimacy or private economic interest (see, for example, Bryant 1993, 399). There is a considerable amount of disagreement among scholars whether to include the sphere of private economic interest, e.g. the market, into the sphere of civil society (see discussion in Kumar 1993, Bobbio 1988, Keane 1988). Both inclusion and exclusion, however, seem to be equally justifiable. To the extent that private interest shapes the agenda of debate within civil society it must be included as part of civil society. But to the extent that the debate seeks to transcend private interest to express collective rational will, it would be justified also to exclude it.

The distinction that we now make between civil society and the state has not always been made<sup>5</sup>. Adam Ferguson, who introduced the term into the intellectual discourse, distinguished not between state and civil society, but between modern 'civilized' (polite, polished, commercial) and ancient 'rude' (uncivilized, martial) nations (Ferguson 1995). The state of civilization is characterized by 'the advancement of commercial arts', politeness of manners, and the use of force 'only for the obtaining of justice' (Ferguson 1995, 190, 193). Thus, civil society represents the *rational* condition of society, the state of liberty and law. By contrast, uncivilized society is understood as the social condition of *irrationality*: a despotic, corrupt, and generally defective government, which resembles the lawless (and government-less) state of nature (Ferguson 1995, 228, 230, 236). David Hume, who himself did not share the view, describes the state of nature as a kind of 'philosophical fiction' that depicts society before government 'as a state of mutual war and violence ... [where] power was the only measure of right' (Hume 1902, §151, p.189). While reliance on force as a principle of social integration summarizes the uncivilized pre-rational condition, civil societies, in contrast, embody the rule of law and reason. Reason and law, to the extent that they are understood as the opposite of force, represent the idea of

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<sup>5</sup> This has been pointed out by many present-day commentators on civil society. See, for example, Keane (1988, 35), Kumar (1993, 376), Bobbio (1988, 80).



collective *agreement*. A civilized society is a society where conflict (disagreement) is overcome not by coercion but through coming to agreement about *rules*. The agreement takes the form of rational (willful) consent granted to the authority of the government, whose role is to protect the agreement. The idea that governments embody reason insofar as they represent collective agreement finds its most notable expression in social contract theory (associated most strongly with the names of Thomas Hobbes, John Locke and Jean-Jacque Rousseau)<sup>6</sup>.

Social contract theory purports to explain the *origin* and the mode of *integration* of modern political societies, held together by the authority of the state. The main thesis of this theory is that the political authority of the state rests upon the actual or supposed (tacit) *normative agreement* among all individual members of societies who agree 'to enter into one community, and make one body politic' and thereby to submit willingly to the authority of the state (Locke 1960, 14). They do so in order to avoid the 'inconveniences of the state of nature', such as conflict and war (Locke 1960, 74, 19). Thus, while in the state of nature, which is conceived as the unrestrained pursuit of interests and power, individuals come to see the *restraining* authority of the government above them as *desirable*. Rather than perpetuate the Hobbesian 'war of all against all', individuals in the state of nature decide to found a government to submit to, 'because they see their own desires and those the satisfaction of which the authority safeguards coinciding' (McIntyre 1968, 138). Thus, according to social contract theorists, government is not the instrument of power of some over others but expresses the idea of *collective power* directed towards *common interest* and achieved through collective *rational agreement*. However, the contract that the government is said to manifest is a product of *agreement* as well as *disagreement*. The state of nature, which the contract seeks to eliminate and supersede, is described as both the state of disagreement manifested in *conflict* and agreement embodied in *rules*<sup>7</sup>. According to Hobbes, the point of

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<sup>6</sup> The idea of social contract has a much longer history. See Lessnoff (1990) for a concise but comprehensive overview. See also Kern (1956) on the medieval concept of contract between monarch and subjects, and Bloch (1961, 145-167, 451-2) on the roots of the social contract idea in the feudal concept of vassal homage.

<sup>7</sup> Locke, for example, identifies those rules as the law of nature, which is reason (Locke 1960, 7). Likewise, Hume dismisses the idea that contract has created rules: 'Even in societies, which are established on principles the most immoral, and the most destructive to the interests of the general

contract is not to create normative agreement, as some of his critics suggest<sup>8</sup>, but to make the already existing agreement enforceable by establishing an authority with the power to sanction deviance (see Held 1989, 15-16).

Social contract theory is a theory of normatively-integrated society where normative integration is considered to be both *problematic* and *achievable*. Thus, government is understood as both contract (agreement) and power (force of coercion). The incompleteness of normative integration to be found in the state of nature is reproduced in the state of political society that supersedes the state of nature. *Power* seeks in vain to repair the problems of *normative* integration. Normative agreement that power postulates as present (something to be protected) remains deficient and wanting (i.e. reveals the lack of agreement). The state fails to transform society into a realm of reason: *conflict* associated with the state of nature persists in the political (civil) society. Moreover, to be what it tries to be, i.e. the rule of *law and reason*, the political (civil) society has to remain that which it defines itself in opposition to and seeks to replace: the rule of *force*. Reason, which social contract claims to embody, manifests itself as power. But this power is not *collective power*, i.e. power as expressed in the *universal normative agreement*, power that ceases to be *power* as such<sup>9</sup>. As some of its critics rightly point out, social contract theory offers no method of *settling* disputes, leaving conflict of interests unresolved (see Lessnoff 1990, 24). Instead, it seeks to eliminate disagreement by superimposing power on the partial incomplete agreement that already exists. This proves to be an inadequate solution. For as long as conflict and disagreement persist, social contract cannot be what it claims to be - rational collective agreement - but must invariably appear as power. And for as long as this remains the case the rationality of agreement (contract) which modern government purports to represent will remain in question.

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society, there are required certain rules, which a species of false honour, as well as private interest, engages the members to observe' (Hume 1902, §170, p. 209).

<sup>8</sup> McIntyre, for example, writes (1968, 155), 'Hobbes misplaced the role of the contract. It does not and cannot underlie or explain social [SK: normative] life as such, for contracts presuppose ... the existence of social life...'. 'The story of the contract functions as some kind of explanation of how men came to share social norms' (ibid., 136).

<sup>9</sup> The term 'collective power' is a contradiction in terms where it means 'the agreement of the universal collectivity'. But it can also refer to the power of a less-than-universal, i.e. particular, collectivity, in which case the use of the word 'power' in the term is correct.

Social contract theory may have failed as a theory of modern state in its *present* condition, but, as a theory of the *future* rational condition of society, it has survived in a new guise, as the theory of civil society. The idea of society as contract persists even where contract is no longer understood as agreement embodied by the state. Both social contract and civil society theorists share an understanding of rationality as collective agreement. When the state is rejected as the solution to the problem of rational agreement, rationality is found in the social space outside the state, i.e. in the realm of civil society. Rational agreement is still considered achievable, but it is now achievable within a civil society perceived as different from the state. Political society, which was originally regarded as the unity of the state and civil society, reveals an internal split as state and civil society are recognized as two separate and analytically distinct spheres<sup>10</sup>. The separation is necessary in order to address problems of collective agreement, or the persistent lack of agreement. Civil society is 'discovered' at the point of recognition that the state fails as the universal normative agreement (Hegel's 'realized ethical idea'); that the contract it represents does not eliminate but instead merely disguises enduring disagreement and conflict. Civil society comes into existence as the self-awareness of disagreement, which social contract has failed to incorporate. It defines itself in opposition to the state, but not, primarily, as a separate *institutional* sphere, which it has always been, but as a distinct body of *opinion*, a different view of rationality and a criticism of agreement embodied by the state.

The institutional distinction between state and civil society becomes salient at the point when the two fail to coincide as *one* sphere of agreement and shared understandings. Yet the separation of civil society and the state is never complete and can never be completed. The more they grow apart and assert themselves in opposition to one another as separate entities, the more they seek to overcome this opposition and form a unity. In a way, they represent both thesis and antithesis oriented towards synthesis. Agreement that recognizes itself as deficient and

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<sup>10</sup> According to some scholars, the state and civil society began to be analytically separated in the second half of the eighteenth century (Keane 1988, 36).

incomplete (i.e. as lack of agreement) is nonetheless oriented towards overcoming disagreements and reaching a new and better agreement. The whole point of distinguishing civil society from the state is to make possible a more rational agreement (a better social contract) than that achieved within the realm of the state. But if agreement reached within the realm of civil society stays within the boundaries of civil society without seeking to transcend them and enter the domain of the state, its rationality comes into question. In order to realize itself as truly rational agreement it must become agreement *shared* by the state. In other words, civil society seeks to be reunited with the state. The separate existence of the two realms is conceived as a moment of their unity (i.e. sameness). Liberals and Marxists alike conceive of emancipation (the condition of universal freedom) as the overcoming of the opposition between the state and civil society. They may propose different methods of accomplishing this unification, but they are united in their vision of the goal (see Cohen (1982) for a clear exposition of both views).

The problem of the unity of state and civil society did not exist for social contract theorists, who considered such unity to be the actual (accomplished) rational condition of society, a condition for which they utilize the term 'civil society'. Locke, for example, describes the state of 'civil society' as simultaneously the unification of individuals in the body of the *public* and their subordination to the supreme *government* (Locke 1960, 73). What social contract theorists posit as unproblematic, civil society theorists rediscover as a problem. They view the unity of state and civil society in its present manifestation as the *oppression* of civil society by the state. Hence the definition of civil society as 'that set of diverse non-governmental institutions which is strong enough to counterbalance the state' (Gellner 1994, 5). The unity of state and civil society is deemed illusory: not a true unity but 'dualism' as described by Hegel: a unity that does not form 'an ethical identity' and therefore 'does not exist as freedom, but as necessity' (Hegel 1996, §186, p.189). The true unity of state and civil society is yet to be achieved, and to make it possible one must start by separating what already are two separate, or unsuccessfully united, realms. Where Locke saw one integrated 'body politic' as the unity of the public and the government, civil society theorists identify two separate



realms (and modes) of integration: the state as the sphere of government and civil society as the public sphere. The two are not merely recognized as different but are said to form an opposition. Civil society is set against the state as an alternative realm of negotiating social contract and as a conscientious force of opposition resisting the oppressive powers and despotic tendencies of the state<sup>11</sup>.

The separation of state and civil society is achieved through their polarization. In this new opposition, the state is transformed from what it purports to be, power that rests on tacit consent (social contract), into what it claims it is not, a sheer (despotic) power that needs no tacit or actual consent to sustain itself. Civil society is then defined in opposition to the state and the principle of integration the latter exemplifies, i.e. integration through power (revealing lack of consent). Now, it is civil society that declares itself to be what it says the state is not, and what the state claims it is, the true realm of *normative* integration, i.e. integration through rational agreement, or universal consent. Yet, contrary to whatever civil society may claim, the state does not represent power as such. It can, however, be experienced as power and lack of freedom when it manifests an *incomplete* normative agreement. Once the agreement is complete the experience of the state as oppression is no longer available. The definition of the state as power is therefore misleading. What we tend to describe as power would more appropriately be called a failure of agreement. Any failed agreement is, of course, a disagreement. What distinguishes power from reason (an alternative mode of integration) is that the former dismisses disagreement by pronouncing it irrational and continues to insist on the incomplete (impoverished) agreement as the basis for integration. By setting itself in opposition to the state, civil society attempts to accomplish what the state has allegedly failed to – a normative integration of society through rational agreement. To eliminate problems intrinsic to tacit consent<sup>12</sup>, civil society theorists propose to replace *tacit* consent with *actual*

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<sup>11</sup> Ferguson was among the first to regard despotism as a threat to modern states, or civilized society (see Ferguson 1995, 248-9). Compare this with an observation by a contemporary scholar, 'the best-known enemy of civil society is despotism' (Hall 1995, 7).

<sup>12</sup> For instance, Locke (1960, 101) describes the problem with tacit consent as uncertainty about the content of the contract: 'the difficulty is, what ought to be looked upon as a tacit consent, and how far it binds, i.e., how far anyone shall be looked on to have consented, and thereby submitted to any government, where he has made no expression of it at all'.

agreement, by providing the necessary institutional conditions to enable the reaching of agreement, such as the autonomous sphere of public debate, or civil society.

## **Civil society and conflict: problems of reaching agreement (part 1)**

Dissociated from the state and linked to civil society, the idea of social contract is transformed. The social contract is now expressed as the *making* of a social contract. It stands for an incomplete and open-ended *process* of coming to agreement. Notably and in stark contrast to the original idea of social contract, this also implies that disagreement has not been eliminated. Moreover, disagreement is seen as acceptable and legitimate. Civil society is defined as ‘the realm of difference’ (Hegel 1996, §182, p. 185), ‘a particular form of society appreciating social diversity’ (Hall 1995, 25). This differs significantly from the treatment of disagreement by social contract theorists, who classify any disagreement as deviance, and view it as a residue of the irrationality of the state of nature. Civil society, on the other hand, retains the ambiguity that is said to be typical of the state of nature. Like the state of nature, it is not free from conflict and disagreement, yet at the same time it circumscribes the space of shared rules, or understandings, which make the achievement of rational agreement within it possible. The civil society repudiates the principle of power and embraces the alternative principle of normative integration: *reason*, or *validity*. Agreement is to be achieved by overcoming disagreement through reasoning and argument, rather than by superimposing agreement on persistent disagreement, as was the case with the social contract embodied by the state. This, however, does not in itself guarantee agreement or make it any easier to achieve. If anything, it makes the accomplishment of rational agreement more problematic. All that it does guarantee is the rationality of agreement when it is achieved.

The problem is precisely the breadth of civil society, the inclusion of diverse particularities into the realm of the universal. Civil society is conceived as a new kind of moral community defined in terms of ‘universalistic, highly generalized

moral bonds' (Seligman 1992, 204). But those bonds exist more as a project than reality: a truly universal moral community can only come into existence by overcoming the particular solidarities of existing moral communities. And civil society certainly provides a fertile ground for the articulation of collective particular solidarities. As the sphere of public debate expands to include previously excluded social groups, most notably the lower classes, collective and individual particularities multiply. '[T]hose previously assumed to be 'rude and ignorant, having of themselves small light of *judgement*' ..., now showed a tendency to articulate coherent *claims*, to assert *rights* which the law was liable to uphold, and to have *opinions* in matters of religion' (James 1974, 180; emphasis added). Some of the expanded public debate is institutionalized in the form of legislative assembly, but most of it is happening outside the fixed institutional channels, in various public meeting places, such as assembly rooms, town halls, and even taverns and coffee houses (Tilly 1995, 358). Public meeting rises into prominence as a new popular forum of public debate, providing the space not only for articulating *opinions* but also, more importantly, for taking collective *positions* on issues of public importance and for forging collective *solidarities* behind those emergent positions (Tilly 1995, 10-13). The rise of civil society is described as the transition from 'bounded horizons' and 'particularized modes of thought' to 'systems of generalized discourse, claiming universal validity' (James 1974, 182). A more accurate description of civil society would be a sphere of *particular* standpoints ('bounded horizons' and 'particularized modes of thought') which claim *universal* validity.

Civil society appears to be at once the realm of the universal and the particular, where universal values attempt to transcend particular social solidarities arising from conflicting interests, and where particular social interests (solidarities) assert themselves as universal values. The ambivalence of civil society (its nature being at once united and divided) is expressed, for example, in the notion of public opinion, which refers both to the diversity of particular opinions and the united collective universal standpoint. To quote Hegel, 'in [public opinion] what is absolutely universal, substantive, and true is joined with its opposite, the independent, peculiar, and particular opinions of the many' (1996, §316, p. 322). Hegel draws a conclusion

that public opinion is to be treated with caution and certainly not to be confused with reason (1996, §318, p. 324). Public opinion can just as well be expressive of collective irrationality. Reason must be dissociated from agreement. The fact of collective public agreement on an issue does not in itself indicate that the rational (universal) point of view has been achieved. Hegel's reluctance to identify public opinion with rationality has attracted criticism from those who see civil society exclusively as a realm of reason. Cohen (1982, 27), for example, criticizes Hegel for his 'ambivalence toward public opinion', failing to recognize that it is not his ambivalence *toward* public opinion but the ambivalence *of* public opinion itself. The allegation of ambivalence suggests the inability to decide what is the true nature of public opinion. This is not the case, since Hegel is decided that the true nature of public opinion is its ambivalence, or contradiction between the concrete expression and the inner nature. The means of overcoming the contradiction are not to be found within the public opinion, which 'has not within itself ... the capacity to raise its substantive side into definite knowledge' (1996, §318, p. 324-5).

The birth of civil society may have truly entailed the emergence of public life as civil society theorists like to argue (see Cohen 1982, 226); but diversity of opinions alone, however broad and exhaustive, does not solve the problem of *rational* agreement. It does not necessarily solve the problem of *agreement* either. Hegel regards this as a problem and attempts to find a solution beyond public opinion and civil society (in the state). His solution may not be a satisfactory one, but at least it does not compromise the problem. This cannot be said about some of the contemporary theorists of civil society, who offer civil society as a solution to the problem that civil society itself generates. What Hegel identifies as a problem, they see as a solution. Having acknowledged the contradictory nature of civil society they proceed to embrace it. Cohen, for example, attributes to both Hegel and Marx the observation that that 'civil society, *despite* its lack of ethical integration, *nonetheless* presupposes an overriding normative principle' (1982, 30; emphasis added). But while for Hegel and Marx this would be the statement of a *problem* of integration that raises issues about rationality of civil society, for Cohen it indicates the *possibility* of integration (consider the optimism of 'despite' and 'nonetheless' in the above quote). The



problem, which she acknowledges, somehow gets resolved within the context of civil society, though she does not specify the solution beyond describing civil society as 'the articulation of plurality in the context of unity and universality' (Cohen 1982, 225). Thus, the 'lack of ethical integration' becomes 'plurality', which not only sounds more positive but also seems reconcilable with universality. Her solution to the problem is practical: provided the institutional conditions for a flourishing civil society have been created, the problem of reconciling particularity and universality will somehow be resolved by actors.

What remains unclear is just how it will be resolved. The normative integration of civil society on universalistic principles is declared possible, yet no explanation is given as to how that rational agreement is to be achieved. Civil society may have its uses as a 'political slogan' and 'ethical ideal' (Seligman 1992, 201), but the political aspirations it conveys are not substantiated by the sound *explanatory* theory. Even the best attempts to produce an explanation, such as Habermas's theory of communicative rationality, fail to provide an account of social integration that would *simultaneously* explain sources of conflict and resources of agreement<sup>13</sup>. Nor have critics of the civil society argument been more successful. In fact it is precisely at the point of reconciling conflict and agreement that they too have experienced major difficulties. The flaws in the civil society argument have led some critics to reject the central idea of the argument, the universal moral community, as untenable. Whereas civil society theorists, having acknowledged the lack of integration (disagreement and diversity of opinions, or standpoints), conclude that superior rational integration is nonetheless possible, their critics argue that it is not, because integration already exists in the form of *particular moral community*, and only in that form<sup>14</sup>. Rational agreement presupposes an already existing moral consensus among those entering the agreement: '[w]ithout the moral community of mutually respecting individuals, there is no moral personhood and so no agentic individual upon which the obligations of promise-keeping can be based' (Seligman 1992, 186). Therefore, the

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<sup>13</sup> See previous chapter for criticism of Habermas.

<sup>14</sup> Consider, for example: 'Community or communality is always particular, Durkheim's universal individualism (and Habermas's ideas of communicative validity) notwithstanding' (Seligman 1992, 205).

critics conclude, the universal moral community of civil society is not created by and from autonomous moral agents (contrary to what it claims), but instead depends upon the resources of existing moral solidarities (e.g. trust). Yet because trust is always local and particular ('concrete'), it cannot be used to forge the generalized abstract community of citizens without being destroyed in the process (Seligman 1992, 187). The idea of universal moral community ('generalized trust') is dismissed as paradoxical<sup>15</sup>.

The moral agency, the product of particular solidarity and equipped with concrete normative resources, cannot create a universal abstract moral community that would transcend particular moral solidarities. The principle of solidarity, we are told, is not universalizable: solidarity (i.e. trust, or normative integration) is necessarily particular and small-scale (Seligman 1992, 194-5). If that is the case then conflict is ineradicable. Solidarity *within* particularity is solidarity *against* another particularity. The lines of conflict appear to be permanent: reproduction of solidarity is, by implication, reproduction of conflict. Conflict presents no problem for the communitarian argument as long as it remains an external affair, i.e. as long as lines of conflict coincide with boundaries separating communities of moral solidarity. It turns into a problem when we consider the case of internal conflict within a community, since no community is sufficiently particular to have no internal conflict either in reality or in possibility. If that is so, then any seemingly-integrated moral community contains (and conceals) infinite divisions into smaller normative solidarities (which we have a choice of interpreting as *breaches* of trust or *absence* of trust, which is not quite the same). What we have no explanation of is how all these infinite particularities are held together if there is no normative mechanism (or none that is offered by the argument) of including them into an overarching moral solidarity, however provisional or incomplete. If such a mechanism exists then solidarity is universalizable, and so the communitarian criticism of the possibility of universal morality collapses. The problems of civil society (universal moral

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<sup>15</sup> This does not necessarily involve the dismissal of the idea of civil society as an ethical (social) ideal and the embodiment of aspirations for the future. Rather civil society is now found in the past or in a fast-disappearing present endangered by universalistic communal projects (hence 'return to civil society'). A call for civil society is a call for a revival of the community of proximate social ties and concrete trust (Seligman 1992, 194-5).

community) are not very different from problems of particular communities of trust. In both cases integration is a product of agreement, which has to overcome conflict that relies on agreement as its resource, and presents itself as defense of agreement. As yet we have no theory of agreement (integration) which doubles as a theory of conflict and vice-versa.

## **Civil society and conflict: problems of reaching agreement (part 2)**

Rational agreement within a community of citizens is no less achievable and no more problematic than moral solidarity within a community of shared values (or trust). The problem is not that trust cannot be generalized to make possible a universal moral community, but that it is rarely complete and unproblematic, and remains as much an aspiration as the universal moral community itself. Normative integration is a problem at all social levels. If, as so many commentators have pointed out, there is no contract without prior agreement (or no 'rights' without 'trust'), then there is no contract because there is no prior agreement, since prior agreement is most of the time problematic. Neither the civil society argument, nor its critique from communitarian positions, provide an answer to the problem of agreement, be it universal rational agreement or agreement within the boundaries of a particular community. Civil society theorists acknowledge the existence of conflict *within* the boundaries of a political community of citizens, but nonetheless, or maybe therefore, believe that agreement *can* arise out of disagreement, though they fail to offer a theoretical explanation how. Their communitarian critics, on the other hand, locate conflict *outside* the sphere of normative integration, i.e. beyond the boundaries that circumscribe communities of shared values (interests), at the point of community contact with hostile, or simply different, values or interests. Conflict is defined as the *absence* of integration. This leaves no hope for agreement beyond that already reached, since such agreement can only be reached within the space of shared understandings (integration), which stretches beyond, and encloses, particular

communities of values. To assume that such space exists would be to contradict the argument about the ultimate particularity of any community (integration).

The result is an irreconcilable conflict of solidarities that can never aspire to produce a new solidarity behind the superior rational standpoint where the originally conflicting positions are united. The major difficulty with this argument, however, is not so much that conflict is irresolvable as that it is *inexplicable*. We cannot account for the origin of conflict if we take the particularist (communitarian) position. If conflict is to be located on the borders of particularities then it becomes almost impossible to explain where from it derives its substance. For a conflict to exist, i.e. for it to be *about something*, the conflicting parties must share understandings, however incomplete and confused those may be. Not only do shared understandings provide the possibility for resolving conflict (i.e. reaching of agreement); they account for the existence of conflict itself. We cannot push conflict beyond the realm of integration without thereby generating a position that does not seem tenable: that it is impossible to resolve conflict and equally impossible to explain why it exists. To refer to the particularity of cultures (communities of shared values) or of interests (solidarities of structural positions) is not to provide an explanation of the existence of conflict. At best it may explain differences among cultures (or solidarities), but differences do not necessarily entail opposition, or conflict. If one adopts the Weberian position that values are beyond processes of validation<sup>16</sup>, then one is left with no resources to explain how actors resolve (or find themselves in) situations of value conflict. If value positions are irreconcilable and validity is derived from values, then how are *choices* among value positions possible? Weber's actors are placed in an impossible situation: they are already beyond (or sufficiently *distanced* from<sup>17</sup>) values, yet they are told they cannot go beyond (or transcend) them.

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<sup>16</sup> Consider, for example, the following statement from 'Science as a Vocation': 'In terms of its meaning, such and such a practical stand can be derived with inner consistency, and hence integrity, from this or that ultimate *weltanschauliche* position. ... Figuratively speaking, you serve this god, and you offend the other god when you decide to adhere to this position' (Weber 1977, 151). See also Turner (1992, 76-7).

<sup>17</sup> See Turner (1992, 76) for the discussion of Weber's notion of distance towards values.



There can be no meaningful conflict if standpoints are necessarily particular, i.e. if they are completely divided. At the same time, conflict proceeds by exposing the particularity of the opponent's position. While conflicting standpoints see themselves as divided and irreconcilable, they also incriminate particularity to the other. Particularity does not seem to be a *felicitous* condition. Any particular value position strives to defend itself against accusations of particularity; in other words, presents itself as universal. If values were truly particular, they would be immune to conflict and disagreement. Validity of a particular standpoint would not be undermined by the existence of another valid standpoint derived from other valid values. The only reason why supposedly particular standpoints engage in conflict with one another is because either set of self-sufficiently valid values feels endangered by the existence of another. Paradoxically, their non-particularity is confirmed at the point when they are accused of particularity. This is not to say that value positions are universal, only that they claim universality. Their status is essentially ambivalent: they are particular insofar as they exist alongside other rival standpoints; and they are not particular insofar as their particularity constitutes a *problem* for the validity of each position, a problem that can only be resolved in a common (shared) standpoint. This ambivalence is most clearly revealed in the situation of open conflict, where each value position appears simultaneously as *confident* and *vulnerable* (challenged). The communitarian 'solution' to the problem of particular and universal is to eliminate the distinction between the two. They do not deny the existence of the universal but find universality in the enclosed particularity of community. I argue that value positions are essentially ambivalent. They are not universal insofar as they are particular. Rather at every single moment they are both *insufficiently* particular and *insufficiently* universal.

That explains why conflicting value positions can be reconciled; i.e. why rational agreement is possible despite the reality of disagreement. Theoretical separation of conflict and agreement is untenable because the two are *practically* inseparable. Conflict is an essential moment in the development of agreement. The rise of civil society did not create the possibility of reaching rational agreement: that possibility exists in any social condition (insofar as any social condition is a normative

condition). But the modern public sphere (civil society) has represented the best attempt to achieve rational agreement to date. It has not overcome conflict *absolutely*, since this is an impossible task. What it has accomplished is to make conflict a regular feature of the social landscape, more readily tolerable and more easily resolved. Conflict has become *institutionalized* in the form of political opposition, parliamentary debates, and organized pressure on authorities, such as collective protest and social movements<sup>18</sup>. But perhaps more importantly, the institutionalization of conflict has meant that conflict is now being 'conducted' communicatively and publicly. Initiating a public debate on an issue of concern has become the main strategy of collective protest in modern democracy. Yet despite some social actors being optimistic about the possibility of resolving conflicts in agreement, some social theorists continue to insist that as long as conflict persists rational agreement is not possible. This is an absurd position that attempts to address the problem *intrinsic* to agreement by locating the problem *outside* agreement. The existence (and persistence) of conflict is attributed to *interests* which are not seen as aspects of shared understandings (agreement) but as properties of structural positions that exist prior and independently of agreement. Thus, conflict to be resolved, and considered resolvable (thanks to the existence of agreement, or shared understandings), turns into the major obstacle to agreement.

Communicative rationality, which is the operating principle of civil society and public sphere, is said to be *endangered* by power (i.e. pursuit of interests). The 'power-ridden, oppressed public sphere' is no proper place for 'fruitful and clarifying discussions' (Habermas 1996, 362). Rather, a 'distorted' public sphere is the arena of power struggle and interest politics, where conflicts of interests are settled by exercising 'pressure and counterpressure', and compromises thus reached are 'supported ... only through the unstable equilibrium of a power constellation between state apparatus and interest groups' (Habermas 1989, 198). No use for validity there. Thus, as long as civil society (public sphere) is permeated by power and 'burdened with the task of settling conflicts of interests' (Habermas 1989, 198),

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<sup>18</sup> For the discussion of the historical causes of the rise of social movements see Tilly (1995, 144-6), Wallerstein (1991, 16-21), Tarrow (1994, 191), and Luhmann (1993, 135).

it will fall short of fulfilling its emancipatory promise. The power problem has to be solved first, i.e. *before* communicative rationality can prevail, while the solution is offered in the shape of new social movements, which are expected to revitalize civil society. They are new insofar as they have abandoned the quest for power so typical of the older social movements, such as labour movements among others, or movements which sought political solutions to social inequalities. The new movements, we are told, have no interest in traditional interest politics. They are not mobilizations of a class against their class adversary. Instead they are seen as democratic mobilizations, a kind of collective organization (mobilization) of the civil society which seeks to defend its deliberative principles of operation against the encroachments of power (see, for example, Cohen & Arato 1992, Habermas 1996). Yet in order to free communicative rationality, they have to engage, and prevail, in a power struggle. This time, however, the power struggle is between civil society and the political system (Habermas 1996, 379).

Despite abandoning the search for power and the politics of pressure, civil society seeks to 'acquire *influence* in the public sphere, have an *effect* on the parliamentary complex, ... and *compel* the political system to switch over to the official circulation of power' (Habermas 1996, 373; emphases added). The democratic mission of the new social movements is thus to mobilize civil society against the *unconstitutional* circulation of power and for the preservation of the *legitimate* order of power (of which civil society itself is a part). This is considered to be enough to turn civil society (and the public sphere) into what it is supposed to be - a realm of communicative rationality. Whether conflicts of interests in the emancipated public sphere can then be settled without causing further deformations, by using resources of communicative rationality, remains unclear. The answer is supposedly no, because as long as there is a temptation to use pressure *rather than* appeal to validity the public sphere will never be totally free of power, and communicative rationality will continue to remain an ideal difficult to achieve. Other advocates of civil society, who too invest their hopes for better democracy in new social movements, propose that the best *solution* to conflicts of interests, which tend to deform civil society by turning the latter into the arena of power struggle (interest politics), could be *not to*



*address* them at all (see, for example, Melucci 1996; Touraine 1995). 'Democracy was a political notion', writes Touraine (1995, 274), 'it is now defined in cultural terms'. More democracy means replacing interest politics with 'politics of recognition'<sup>19</sup>, where differences are to be preserved and celebrated, rather than be resolved.

The problem is identified as the lack of 'final solution to problems such as the coexistence of differences' (Melucci 1996, 191), yet the re-statement of the problem (the necessary problematic co-existence of differences) is offered as that elusive final solution. If differences cannot be resolved they just have to be recognized. Democracy is defined as the 'freedom to belong, or, freedom to construct social spaces of recognition' (Melucci 1996, 219). But even in a society that celebrates diversity there are limits to recognition. If some differences want to overcome differences (e.g. desire equality) will this difference be recognized? Or will it not, given that the politics of recognition involves 'a constant fight against political or cultural homogenization' (Touraine 1995, 273)? The civil society argument seems to have moved away from unresolved social conflicts to celebrate irredeemably unresolvable cultural differences. Cultural diversity may be seen as less of a problem than social diversity (inequality), but at the end of the day both are sustained by agreement. In other words, both are orders of normative integration, though any normative integration (agreement) is intrinsically problematic. Touraine is quite right to point out that recognition is more than 'simple toleration of differences', that it implies a '*synthesis* of a wide variety of partial contributions' (Touraine 1995, 273; emphasis added). Thus, recognition *is* a solution to differences (disagreement): the acceptance of differences by actors indicates that they *have* found a solution to tensions that result from diversity (that they have reached agreement *about* differences). Only we as theorists have no way of knowing how they have managed this. The theory of democracy as recognition fails where the civil society theory failed before: agreement is declared achievable, yet the solution to conflicts (problems intrinsic to agreement) is left to actors. Instead of a *theory* offering an

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<sup>19</sup> Touraine draws on Charles Taylor's concept and definition of democracy.



explanation how conflicts get resolved (or how agreement is possible), we have a theory which simply states that *practical* solution to agreement exists.

In this chapter I have attempted to explore the broader political context of contemporary protest, the conditions of political modernity. I have discussed the issues of power and legitimacy, modernity and tradition, state and civil society, public sphere and social contract, conflict of interests and rational agreement. The organizing theme of the chapter has been the theme of rationality and normative dis/agreement. I have argued that the idea of *rational* society has long been linked to the idea of collective (or universal) *agreement*, expressed in concepts such as social contract, public opinion, state and civil society. The political project of modernity has been to create a society in which the distinction between power and collective agreement would be finally overcome, where politics and morality would be one and the same thing. The political project of emancipation may not have succeeded in full, but it can at least claim to have achieved some successes. Unfortunately, the theoretical project accompanying the political one has been far less successful. Theories that posit the possibility of creating society founded on rational agreement are based on the premise that agreement and conflict are separate things. Rather than locate conflict within agreement as *aspect* and *problem* of agreement, they find the sources of conflict beyond agreement, in the sphere of interests. This leads to a peculiar situation, where they are able to articulate the need for emancipation, having conceived of social order as power (or lack of agreement), but are unable to identify the resources which would make emancipation possible. To explain the possibility of emancipation we must locate resources of emancipation *within* what is seen as the relationship of power. And that involves reconsidering the relationship of power as normative relationship (agreement). A theory of power must be replaced by a theory of normative integration.

## Conclusion

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Agreement may not be an ordinary sociological concept (it may not be a sociological concept at all, given that most sociology dictionaries fail to mention it), yet the idea of agreement is central to the explanatory project of social sciences. The possibility (or failure) of agreement is what much of social and sociological theory<sup>1</sup> is about. Consider such enduring sociological themes as social order, social integration, legitimacy, norms and rule following, solidarity, collective identity and collective action, as well as themes from political theory, such as justice, social contract, civil society, and more recently discursive rationality.

The idea of agreement entails the idea of conflict, or disagreement. The two are inconceivable without one another. It would be difficult to understand what agreement involves if we had no idea of conflict, as agreement implies the negation (as the containment and prevention) of conflict. Similarly, conflict is only comprehensible where agreement exists as a possibility: while being the negation of agreement, conflict also positively asserts agreement. Every *contradiction*, such as that between conflict and agreement, is a *unity*, in dialectical terms. Unfortunately, social theory has not so far succeeded in integrating these two 'dimensions' of social life, so as to expose their sameness. The two are seen as *complementary* (and therefore by implication, distinct) rather than the *same* (see, for example, Giddens 1968, Rex 1981, Lockwood 1992). The problem is formulated as the problem of *interdependency*, or relations *between* these two dimensions of the social, conflict and agreement; or, to use more traditional terminology, norms and power. Any efforts to generate a unified (integrated) theory explaining both these dimensions will

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<sup>1</sup> The distinction between the two being the distinction between the general and the particular.

remain impaired as long as this remains the case. One cannot use two different sets of categories for theorizing conflict and agreement, and at the same time hope to integrate the two theories.

Conflict is more commonly viewed as a confirmation of *divisions* within the social, rather than as a specific manifestation of the *unity* of the social (a form of existence of agreement). Divisions are conceived as structural divisions, concerned with material (things-mediated) relations between subjectivities, such as individuals and groups, and marking positions of interests, which are also positions of power. Agreement, on the other hand, is explained with reference to concepts such as norms, values, culture and lifeworld. In other words, agreement has to do with entities beyond particular subjectivities; entities representing the totality of the social. One could say that divisions are structural (or systemic), while unity is cultural (or social). The duality of conflict and agreement simply reproduces a more fundamental duality between *subjectivity* (the particular), on the one hand, and *sociality* (the general), on the other. Conflict is seen as an expression and affirmation of subjectivity, while agreement manifests the social. This, effectively, makes conflict the negation of sociality, and agreement – the negation of subjectivity. But the two cannot be conceived as opposites of each other.

The problem with much sociological theorizing is that subjectivity is rarely considered to be problematic *as* subjectivity. It is the social, conceived as located *outside* subjectivity rather than *within* it, which is seen as problematic (thanks to the unproblematic subjectivities), and posing problems for subjectivity (if it is to exist unproblematically as the social). While subjectivity is (unproblematically) enclosed within the social, it is considered, nonetheless, able to maintain its separate identity as subjectivity (largely because it is grounded in the material, or structural, and partly because it is located within distinct biological bodies of individuals). Participation in social interactions, for example, does not undermine the subjectivity of the participants: subjectivity is thought to exist prior to those interactions. Even the notion of intersubjectivity is derivative of and dependent upon the notion of subjectivity, designating spaces between and outside subjectivities. Thus, subjectivity

appears to be enclosed within the social without being enclosed, i.e. without experiencing the consequences of such an enclosure, which should in principle undermine its status as subjectivity. Hence, we have social interactions and more lasting relationships happening *between* subjectivities, rather than subjectivities happening *within* relationships. The opposition between the social and the individual (particular) makes sense only if we admit that they are simultaneously *separate* (different) and the *same*. The social can only be the negation of subjectivity to the extent that it is also part of subjectivity. Sociality would remain forever problematic (or inconceivable) if subjectivity maintained its insularity, if it was treated not as a form of the social but as a form of the structural (material) or in biological terms.

If the social is to be conceivable at all, subjectivities must be seen as problematic, but problematic within the social. But if subjectivities are problematic, so should interests be, as attributes of subjectivities. They too must be located within the social, rather than seen as being grounded in the structural (material), understood as an area of relative autonomy from the social, and shaping it. Rather like subjectivities within the social, to be what they are (or claim to be), interests must be what they are not: aspects of shared (normative) *understandings*: in short, *norms*. At present, normative order (when it is not being construed in cognitive terms, as a reproduction of routine competencies, but is regarded as a problematic accomplishment, threatened by internal conflict) is invariably explained with reference to interests. It is seen either as a product of *negotiations* between different interests (see, for example, theories of civil society) or as a result of *coercion* of some interests by others (various theories of power/domination are case in point). In this second case, structural advantage (power) is considered to be incomplete, or *deficient*, as a principle of integration. Power is said to be in need of legitimation (or normative order), since it is a complementary principle of integration, other than power, yet nevertheless reinforcing it. Normative order, conceived as legitimation, becomes a form of power, insofar as it reinforces power. While it is perceived to be different from the order of power, normative order is effectively being reduced to the order of power. The distinction between the two orders (or principles of integration) is, thus, not sustained.



To acknowledge the existence of power is to recognize the need for *emancipation*, which is the negation of power (a condition of freedom). While some theorists see emancipation as a structural problem (redistribution of material resources), others locate *resources* for emancipation within the *social* (normative), where, incidentally, resources for reinforcement of power are also said to be located (legitimacy or ideology). This second type of emancipation is associated with the idea of *rational agreement*, or negotiation among different interests within the realm of liberal civil society. Interests are still considered essentially antisocial orientations, which is why civil society is seen as the arena of conflicts. But these conflicts get resolved through negotiations. Thus, interests are also seen as capable of coming to agreement and generating stable sociality, which represents not just any type of sociality, but a superior type where contradictions between subjectivities and sociality are finally overcome, i.e. where sociality embodies the idea and the condition of freedom. This requires that interests transcend themselves *as* interests, i.e. that they become aspects of shared (normative) understandings. But they cannot become this if they have not been this already; the very notion of such transformation is problematic. If we posit the possibility that interests will *produce* shared understandings in the course of negotiations, we on the one hand retain the dichotomy of norms and interests, but on the other assume that it can be overcome. To come to agreement, interests must utilize resources *outside* themselves, shared normative understandings. But interests cannot come to a shared understanding, while *remaining* what they are, interests, unless they are already *within* a shared understanding, and therefore are not what they are, i.e. are not interests.

There is no space *beyond* normative agreement. Conflict is a normative affair. Even the most violent of conflicts take place *within* agreement, rather than indicate the absence of agreement. It would be impossible for both sides involved in a conflict to use a normative frame of reference (as they invariably do) to construe their own and their opponent's actions, and at the same time to be acting purely in accordance with their (different structural) interests. In the absence of a normative framework, interests would be non-negotiable (deprived of resources to produce agreement);

within it they cannot be interests but must be aspects of agreement (shared normative understandings). A failure to theorize conflict as an *internal* problem of social (normative) integration is one of the major shortcomings of contemporary sociological theorizing. This is true of the general social theoretical project as well as more particular sociological theories, such as theories of collective action (or protest). The strategic model of social conflict utilized by many collective action theorists is untenable. As I have tried to demonstrate in this thesis, protest cannot be construed as an attempt to prevail over an adversary insofar as it takes place within the framework of shared normative understandings, where the only recognized (i.e. acceptable) form of influence is correction. To explain both 'power' and the possibility of emancipation, we must theorize conflict as a *problematic* moment of agreement, i.e. see it as a form of *participation* in a normative relationship. To protest is to communicate *normative* disagreement, or declare a gap between 'is' and 'ought'. Success in these circumstances can only be a *collective* accomplishment. By asserting that the other ought to have acted otherwise, protesters construe their success as being also the success of the opponent, or the success of their relationship.

Protest exposes problems in the relationship and attempts to address (resolve) those problems. Participants in a social conflict are *doubly* bound to each other: while they find themselves disagreeing (to agree), they also disagree to disagree. Agreement might be problematic for the time being, but so is disagreement as well. Both sides in a conflict assert the existence of prior agreement, which makes disagreement a problematic moment in the relationship, a condition to be transcended and replaced by agreement. But while disagreement is problematic within the circumstances of agreement, to the extent that disagreement exists, agreement too is exposed as problematic. Overcoming disagreement within a normative relationship is not a matter, simply, of the *restoration* of prior agreement (which would be impossible given that agreement has been exposed as problematic by the occurrence of disagreement), but a matter of the reproduction of agreement at a *new* level by resolving problems within agreement. A normative relationship is not to be equated with an unproblematic reproduction of agreement. Rather, conflict (disagreement) is

a form of existence of normative agreement: an expression of problems in agreement and an attempt to resolve them.

I have used the concept of normative dis/agreement throughout this thesis to indicate the *problematic* nature of normative agreement, or the location of conflict *within* agreement. Conflict is an internal development within a normative relationship and one of the mechanisms of its reproduction. Disagreement, to the extent that it operates within the parameters of agreement, is not entirely a failure of agreement. Rather, conflict relates to agreement in the same way as deviance relates to order: it confirms and undermines it simultaneously. Normative disagreement is disagreement between understandings that, despite their differences, construe themselves each as *the* collective understanding, and claim superiority as such. Unlike the structural conflict (of interests), disagreement is, essentially, a *communicative* phenomenon: it does not exist unless it is declared or otherwise communicated; i.e. unless the other, who one disagrees with, understands it as disagreement. Disagreement also indicates a failure of communication: it is a *response* other than the expected, something that happens *instead* of agreement. To the extent that normative disagreement expresses itself as communicative disagreement, it must in principle be resolvable through communicative interaction, or *argument*.

The purpose of communication is to be understood (correctly, or as intended). However, understanding is not a matter simply of knowing the language and processing information correctly. It is a *social* rather than a cognitive event (see, for example, Mills 1940, Wittgenstein 1953, Toulmin 1958, Austin 1962, Habermas 1984). Nothing confirms this better than the fact that any communication can potentially result in a *disagreement*, which is a social lack of understanding, as opposed to a linguistic misunderstanding. Understanding is truly achieved when *agreement* is reached. Insofar as the speaker aims at agreement, he or she posits disagreement as a *possibility* to be *avoided*. Reaching agreement is about overcoming potential (and actual) disagreement. This is why the process of *validation* of claims is central to communication: to be understood as intended, an assertion must be justifiable (and justified). By raising validity claims, participants in communication

are trying to overcome disagreement. While agreement is linked to validity (we agree with the other insofar as we accept their claim as valid), the link itself suggests that disagreement remains a problem, i.e. agreement is problematic. The concept of validity, while being normally associated with agreement, points unequivocally to the problematic nature of agreement. In communication, which proceeds through validation, reproduction of *agreement* is a matter of resolving *disagreement*, which implies that agreement is constantly in question.

I have proposed in this thesis to view conflict as a problem *within* integration rather than a problem *for* integration. The role of conflict in the reproduction of normative order remains one of the most undeveloped areas of social theoretical inquiry. Social theorists are inclined to oppose conflict to integration. Integration is often understood as unproblematic, which is why deviance and protest (and other forms of 'disorder') are associated with *lack* of integration, rather than being explained as *forms* of integration. I have tried to question the adequacy of this approach, arguing that conflict would hardly be meaningful (or possible), if it was conceived as external to agreement, i.e. attributed to developments *outside* integration. I have argued that 'outside normative integration' is an impossible social position: conflict draws on agreement (i.e. shared understandings) both to explain (justify) its existence and to find a way to transcend itself. If we are to reconcile theories of conflict with theories of normative integration, which at present undermine each other, it is imperative that we think of conflict as an internal development within agreement, which also entails that we understand agreement as being intrinsically problematic.



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## A Note on Empirical Research

Time and locality of research:

October 1995 – March 1996  
Saratov region in southern Russia

Protests movements selected for research:

- The Anti-Autonomy Movement: Local Opposition to the Republic of Volga Germans (started in 1989)
- The Chemical Safety Movement: Protests over the Destruction of Chemical Weapons (started in 1993)
- The Movement of Deceived Investors: Popular Response to the Collapse of Financial Companies (started in 1995)

There were 650 social movement organizations (*obshchestvennyye obiedinenia*) in the Saratov region at the time when I conducted my research, which had registered with the Department of Justice (*Otdel Yustitsii*) of the Regional Administration between January 1991 and November 1995. This included every type of non-governmental non-profit public association excluding religious organizations<sup>1</sup>.

The three movements I had selected were chosen for being the *largest* and most *topical* mobilizations in the region, and to reflect the broad *range* of issues that mobilized protest in Russia in the 1990s.

I have conducted interviews with the leaders and activists of the movements after approaching them through personal acquaintances or using contact information given on the official list. The purpose of the interview was to learn about the history and structure of the movement. I did not analyze the texts of my interviews with activists in the same way as I analyzed what I call the composite text of protest. Interviews were a good point of gaining access to personal archives of movement activists, which proved to be a rich source of various texts of protest that I aimed to collect.

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<sup>1</sup> Registration is not compulsory, but has its practical benefits, such as an officially recognized status and a certain degree of public respectability. The vast majority of social movement organizations prefer to register. All the social movement organizations that I selected for my study figured on the list of registered organizations, which I obtained from the Department of Justice.

Sources of documents (texts of protest):

- Personal archives of movement activists.
- Library collections of regional and local newspapers and other periodicals.
- Recording discourse of protest events that took place during my fieldwork.

Types of documents collected (texts of protest):

- petitions and letters to authorities;
- resolutions of public rallies and meetings (sent to authorities);
- leaflets, posters and placards displayed or distributed in public places and at protest events;
- newsletters, newspapers and monographs published by the movements;
- articles by activists and supporters in the press;
- media interviews with leaders and activists;
- letters to the press by movement supporters;
- (recorded or published) speeches activists and supporters at protest rallies and other public events such as conferences, public hearings, press-conferences

List of regional and local periodicals searched for texts of protests:

- Regional and local daily newspapers:
  1. Saratovskie Vesti (till 1991: Kommunist)
  2. Saratov
- Regional and local weekly newspapers:
  1. Saratovskaya Meria
  2. Zemlya Saratovskaya
  3. Zarya Molodyozhi
  4. Nabat: Saratovski Ekologicheskii Vestnik
  5. Za Narodovlastie: Massovaya Obshchestvenno-Politicheskaya Gazeta Saratovskoi Oblastnoi Organizatsii Kommunisticheskoi Partii Rossiyskoy Federatsii
  6. Zemskoye Obozrenie
  7. Grazhdanskoye Dostoinstvo: Gazeta Reformatorskih Sil Saratovskoi Oblasti
  8. Saratovskiy Listok: Nezavisimaya Gazeta
  9. Sovety, Fakty, Sobytiya: Obshchaya Gazeta Administratsiy Tsentralnykh Raionov Saratova
  10. Novyi Stil
  11. Zarya: Organ Sovetskogo Raionnogo Soveta Narodnykh Deputatov i Administratsii Raiona
  12. Cement: Organ Volskogo Raionnogo Soveta Narodnykh Deputatov i Administratsii Raiona

- Movement newsletters:
  1. Nashe Mnenie: Nezavisimyi Informatsionnyi Listok
  2. Ekologia i Konversia: Informatsionny Buleten

Other periodicals searched for relevant material:

- Sobranie Zakonodatelstva Rossiskoi Federatsii
- Pravda
- Izvestia
- Nezavisimaya Gazeta
- Novaya Gazeta
- Moskovskie Novosti
- Novoye Vremia
- Press-Panorama
- Express-Khronika

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